

JUVENILE JUSTICE SYSTEM

A Family Guide



Produced by

**Juvenile Justice Behavioral Healthcare
Advisory Committee**

Sponsored by



Jefferson Center
for mental health

(303) 432-5238

www.jcmh.org

JUVENILE JUSTICE BEHAVIORAL

A Resource for Families

When a family has a son or daughter involved with the Juvenile Justice System it can be a confusing and terrifying time. Those whose child/youth also has a serious emotional disturbance or mental illness, families are faced with navigating complex systems at a time when they may also be first learning about mental illness and treatment.

Often parents don't know where to turn.

The members of the Juvenile Justice Behavioral Healthcare Committee can be a valuable resource for families. Along with offering this "Family Guide," we also offer a semi-annual training on the Juvenile Justice System.

The Juvenile Justice Behavioral Healthcare Advisory Committee helps families learn how to:

- work with the system
- better understand how services are delivered
- discover what community resources are available
- use each other for support and mentoring

The Committee meets monthly to discuss Juvenile Justice issues and would love to hear from you. We meet on the third Tuesday of each month from 5:30 pm to 7:00 pm at various locations. We value your input and hope that you will join us.

**For more information please contact Cammy at
(303) 432-5238 or visit www.jcmh.org**

HEALTHCARE ADVISORY COMMITTEE

Who We Are

The Committee is comprised of Parents, Youth, Advocates, and the following partner agencies and organizations:

1st Judicial District Probation Department
(720) 497-7700

Division of Youth Corrections
www.cdhs.state.co.us/dyc

Federation of Families, Colorado Chapter
www.coloradofederation.org
Toll Free Number 877-792-8886
Local Number 303-893-7984

Jeffco Public Schools
www.jeffcopublicschools.net

Jefferson Center for Mental Health
(303) 425-0300
www.jcmh.org

Jefferson County District Attorney's Office
(303) 271-6964
www.co.jefferson.co.us/da

Juvenile Assessment Center (JAC)
www.jeffcojac.org
(720) 497-7770

The ROAD & CrossRoads
(303) 982-6755
www.theroad4youth.org

Mount View Youth Services Center
(303) 987-4525

Hearing Types

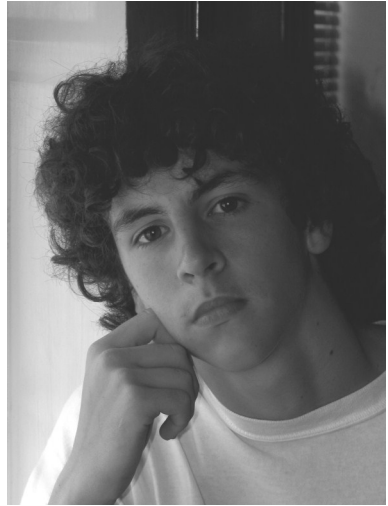
1. **Detention Hearing:** Usually occurs within 48 hours of arrest to determine if there is probable cause for the arrest, and if the juvenile is a safety hazard to self and others, and if so, a bond is set.
2. **Advisement Hearing:** The first appearance before the court after the filing of a delinquency petition, where the juvenile and parents, guardian or other legal custodian are advised of their constitutional and legal rights.
3. **Preliminary Hearing:** A hearing to determine if there is probable cause to believe the juvenile committed the delinquent act.
4. **Dispositional Hearing:** Hearing to determine the outcome of a specific case (also known as sentencing).

Juvenile Justice Tips

- **Use the chart on the back of this brochure.** It represents different possibilities in the juvenile justice system. This chart is a guide, not the final word on what will happen in your case.
- **Contact the Jefferson County Juvenile Assessment Center (JAC).** JAC is a single point-of-entry for at-risk youth and juvenile offenders to be assessed and referred to youth intervention programs in the community or screened for detention, depending on their needs. For more information call (720) 497-7770 or visit www.jeffcojac.org.
- **For legal advice, you may contact:** Your private lawyer; the public defender at (303) 279-7841, the University of

Denver College of Student Law Office at (303) 871-6140, and/ or the Colorado Legal Defense at (303) 758-2454.

For questions or additional support, contact: JeffCo Department of Children, Youth & Families (303) 271-1388, and/ or the Colorado Chapter of Federation of Families (303) 572-0302.



- **Cooperate and be respectful.** It is a stressful time. Working cooperatively with the system can have a positive effect on your child's case.
- **Ask questions.** The system can be confusing. If you don't understand what's going on, ASK. Write down your questions so you can ask them at the right time.
- **Write things down.** Keep all information, important dates, notes, paper and pencil in a folder. Write court dates on a calendar. You and your child must appear at all required court hearings.
- **If you receive any forms in the mail, follow the directions and fill them out completely.**
- **At some point, you may need to provide the following:** child's Social Security number, child's most recent report card, if child is employed, provide check stub and verification of parent's income.

Frequently Used Justice System Terms

Adjudicated: Found guilty of delinquent act (violation of statute, ordinance, or any lawful court order).

Bond/Bail: A condition of release from detention to assure that the juvenile will appear for future court dates or forfeit the amount of bail and have a warrant issued. (See FTA)

- **CSP (cash, surety, property)** - A bond that requires cash, a bondsman or collateral for release from detention.
- **PR (personal recognizance)** - A bond amount is set, yet only the signature of a parent or guardian is required as assurance that the youth will appear for court.

Colorado Children’s Code: Also referred to as “Title 19”. It is the statutory authority that governs all juvenile delinquency and dependency/neglect proceedings.

Commitment: A sentencing option whereby a juvenile’s custody is transferred to the Division of Youth Corrections for long-term confinement and treatment.

Contempt of Court: Order issued by judge due to a violation of court order requiring juvenile to show why he/she did not comply.

Deferred Adjudication: Juvenile pleads guilty, but conviction will be set aside if certain conditions are met such as community service, successful probation, or other conditions the judge may impose.

Direct File: Charges are filed in adult district court and the adult criminal justice process applies.

Electronic Home Monitor (EHM): Electronic device worn on ankle to track juvenile’s location and enforce “home arrest”.

Failure to Appear (FTA): When the juvenile or guardian does not attend scheduled hearing or court appearance. When this occurs, an arrest warrant is issued. When guardian does not show, the legal process may stop, causing long delays in the

final outcome. Contempt citation could be issued.

Felony: Crime regarded by the law as more serious, and with more severe consequences than a misdemeanor.

GAL: (Guardian Ad Litem). A court appointed advocate, required to represent the best interests of the juvenile throughout the entire court proceedings. A GAL is usually assigned when either the juvenile's parent/legal guardian is the alleged victim or parent of the victim, when the juvenile's parent/legal guardian fails to appear for court hearings or has a conflict of interest (i.e. parent of a co-defendant)

Mental Health Court: A multi-agency collaborative that addresses the mental health needs of youth involved in the juvenile justice system, by linking youth and families with appropriate mental health services to prevent deeper involvement in the juvenile justice system.

Misdemeanor: Crime regarded by the law as less severe than a felony and with less severe consequences.

Mount View Youth Service Center: Local detention facility providing temporary secure services for juvenile offenders under the age of 18.

Placement Evaluation: Social Services conducts an assessment of referred youth and families involved in the juvenile justice system to identify issues and to determine what services and resources are needed.

Plea & Setting: Juvenile enters statement of "guilty" or "not guilty" and the judge sets the sentencing date (if the plea is "guilty") or the trial date (if the plea is "not guilty").



Terms - Continued

Pre-sentence Investigation Report: A report done by a juvenile probation officer to provide the court with criminal, personal, and family history as well as sentencing recommendation for the court.

Pre-trial Release: An alternative to staying at the detention facility during pretrial phase. The youth is released to a parent, guardian or legal custodian. Pre-trial services can include supervision, tracking, electronic home monitoring (EHM), and referrals to a variety of community resources.

Revocation: Action taken by the probation or parole department to return the juvenile to court or parole board when a juvenile has violated the terms and conditions of his/her probation or parole.

SHODI (Serious Habitual Offender Directed Intervention): Status given to a juvenile who has an extensive history of criminal offenses and has been determined to be a risk to the community by local law enforcement.

Summons: A legal document requiring a court appearance.

Tracking: Assigned staff person monitors the juvenile's activities at home, school and in the community. Electronic devices are sometimes used to help track a juvenile's whereabouts.

Warrant: A court order signed by a magistrate/judge authorizing police to arrest and detain a juvenile.

- **FTA** – a Failure to Appear warrant is issued for a juvenile or adult who fails to appear for a scheduled court date.
- **FTC** – a Failure to Comply warrant is issued for a juvenile or adult who fails to comply



Sentencing Options

Informal Adjustment: A sentence type for low-level offenses and juveniles with mental health concerns that centers around therapeutic interventions instead of typical sanctions incurred by the juvenile justice system.

Probation: Community-based supervision that provides certain terms and conditions the juvenile must follow in order to remain in the community. Each juvenile is assigned a probation officer who monitors the juvenile's conduct and compliance with the court orders.

JISP (Juvenile Intensive Supervision Probation): A more rigid and structured form of probation usually requiring daily phone calls, weekly drug testing, and random home visits by the youth's probation officer.

Community Service: Non-paid work the juvenile performs in the community.

Work Crew: Supervised community work performed by juveniles.

Diversion: Juveniles who are first time offenders may be referred to the Jeffco DA's Diversion Program for treatment intervention services following a guilty plea. Upon successful completion, the juvenile will not have an adjudication.

Deferred adjudication: A type of sentence that typically lasts for 6-12 months and requires the youth to report to a diversion officer. After successful completion of this sentence, the juvenile's case will be dismissed.

Out of Home Placement: A juvenile can be placed out of the home by order of the court. Placement evaluation is completed by the County CYF (Department of Children, Youth & Families) to recommend to the court the extent of services needed to help the juvenile.

Commitment to DYC: For serious, violent and/or repeat offenses, the juvenile is committed to the custody of the Colorado Department of Human Services, Division of Youth Corrections (DYC), to assist in the training and rehabilitation of youth.

Frequently Asked Questions

By Adolescents

Q: I've received a summons (ticket). How do I stay out of jail?

A: The consequences you face depend upon the judge's decision at your sentencing. The judge's decision can be influenced by reports from any person you have come in contact with since the incident began. Doing the following can help make a good impression:

- (1) show up on time for all meetings and hearings
- (2) comply with all instructions and rulings
- (3) accept responsibility for your actions
- (4) be respectful of judge and court personnel
- (5) be cooperative

Q: What happens if I miss a court hearing?

A: A warrant may be issued for your arrest on the charge of "Failure to Appear." You must go to the court as soon as possible. Ideally, this should be the same day before 5:00 p.m. If it is after this time frame, contact that court's clerk for instructions.

By Parents

Q: How do I post bond for my youth?

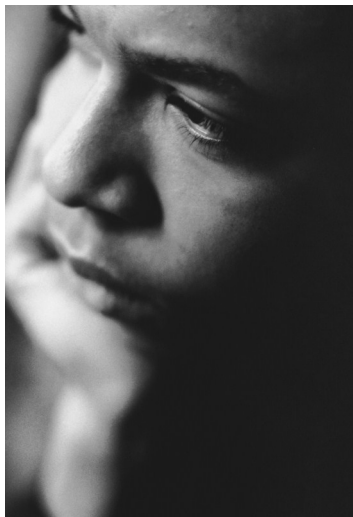
A: There are two ways to post bond for your youth. Depending on the type of bond, you may need to post bond at the courthouse. If your child was given a Cash, Surety, or Property (CSP) bond, you can post the full amount at the Juvenile Clerk's window on the 1st floor of the Jefferson County courthouse. If you cannot post the full amount yourself, you will need to contact a bail bondsman. Typically, bondsmen charge 10-15% of the full bond amount and then require some form of collateral (land deed, car title, etc.). If your youth was issued a Personal Recognizance (PR) bond, you are not required to post cash in order to bond your child from Mount View Youth Services Center. In order to post a PR bond, you should report to the Juvenile Clerk's window or directly to Mount View Youth Services Center. Bond is usually returned to you when your juvenile's case reaches a disposition or is dismissed. You are not required by law to post bond for your child.

Q: How do I obtain a Public Defender?

A: In order to qualify for a Public Defender, you must meet specific income requirements as set forth by the State of Colorado. In order to apply for a public defender, please contact the Golden Office of the Public Defender at 303-279-7841. Even if you do not qualify for a public defender, the court can appoint Alternative Defense Counsel (ADC) at a lesser rate if the court deems appropriate. It is always a good idea to ask the magistrate if you qualify for public defender or ADC services.

Q: How can I clear my child's legal record?

A: Legal problems can have lifelong consequences. Charges cannot always be removed from a person's record. If your child is in a position to have charges removed from his/her record, you may either contact the court to find out if your child's record meets the requirements to be expunged, or seek legal advice.



Q: What are my legal responsibilities as a parent?

A: You must: **1.** provide shelter, food, and clothing to your child until the age of 18; **2.** attend all court hearings that your child is required to attend and; **3.** comply with all rulings concerning your child.

Q: How old does my child have to be before charges are filed in adult district court?

A: If your child is 14 years or older and commits a serious criminal act, he/she may have the charges filed in adult district court. This is referred to as a “**direct filing.**” If your child is 18 years or older and commits any criminal act, he/she is considered an adult and will automatically have charges filed in adult district court.

Juvenile Justice Process

