

Guide

TO THE **DC Juvenile
Justice System**



Council for Court Excellence

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Acknowledgements

This guide has a single important purpose: to increase community understanding of the District of Columbia's juvenile justice system. It's not an easy system to understand. The DC juvenile justice system is complex; it involves several different agencies of government. By statute, the system is also confidential. Confidentiality supports one mission of juvenile justice, which is to rehabilitate the youth whose actions bring them into the system. But confidentiality can also hinder the community's understanding of and confidence in the system. We hope this general guide provides members of the community with the information they need in order to understand how juvenile justice is supposed to work and then to hold the DC juvenile justice system accountable.

Many individuals have worked to produce this guide, and the Council for Court Excellence thanks them:

- The CCE Project Committee was chaired by Robert Spagnoletti of Schertler & Onorato. Its other members were Margaret Duval, formerly of the DC Bar Pro Bono Program, Bonnie Hannan of the Office of the Attorney General for DC, Judge William Jackson of the DC Superior Court Family Court, Clifford Keenan of the DC Pretrial Services Agency, Judge Richard Levie (Ret.) of JAMS-The Resolution Experts, Hannah McElhinny of the Public Defender Service for DC, Jessica Sandoval of the Campaign for Youth Justice, Vincent Schiraldi of the DC Department of Youth Rehabilitation Services, Arabella Teal of the DC Office of Administrative Hearings, and Andrew Wise of Miller & Chevalier.
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Guide to the DC Juvenile Justice System

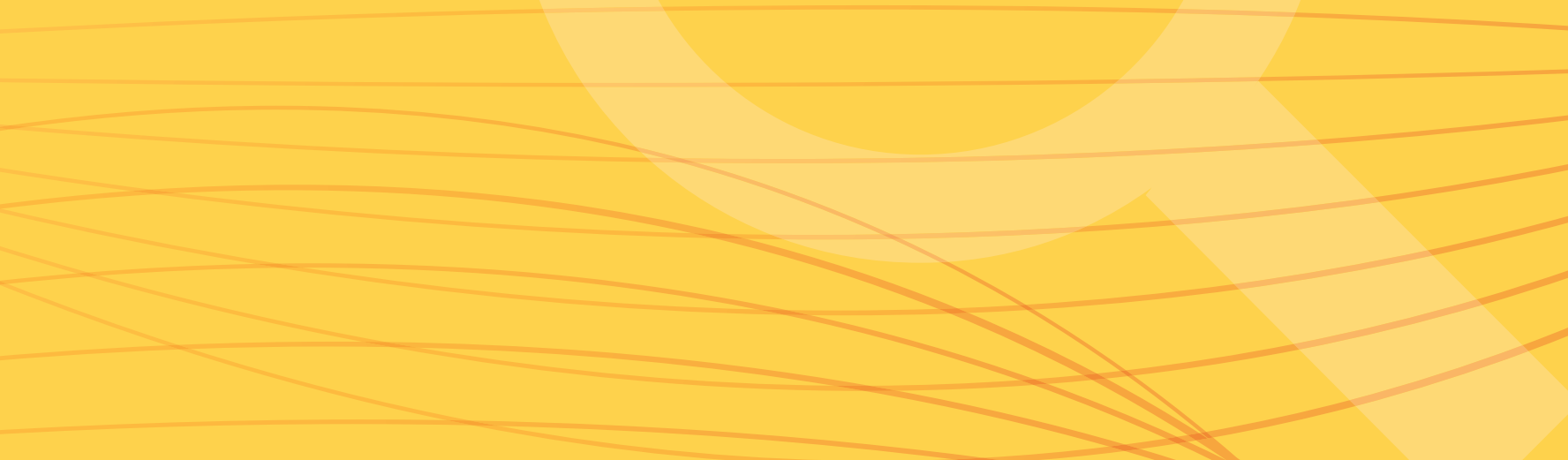
Whether you are a parent, a victim, a witness, an interested resident, or a juvenile involved with the District of Columbia’s juvenile justice system, this guide is designed to help you understand how the system works. It is not a substitute for the advice of a lawyer. If you need more information after reviewing this guide, there is a list beginning on page 45 of places to contact.

The guide is divided into eight sections. The first three sections describe how the juvenile justice system works, starting from the time a youth is taken into custody by the police until there is a final decision in the case. Each of these sections starts with a summary of the process, followed by answers to some common questions. The fourth section covers issues that are not as common. Section five describes an attorney’s responsibilities to a juvenile client. The sixth section has special information for victims and eyewitnesses. The seventh section is a glossary with definitions of some of the terms used in the guide, and the final section lists addresses and phone numbers that may be useful.

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investigation



1.



The Investigation Stage

SUMMARY

If the offense is serious or violent: When a police officer takes a youth into custody for a serious or violent offense, the officer takes the youth to the Metropolitan Police Department (MPD) Youth Division at 1700 Rhode Island Avenue, NE, for a videotaped interview. At the start of the interview, the officer advises the youth of his or her rights to silence, to have an attorney, and to have an attorney appointed if he or she cannot afford one.

- If the youth *does not* ask for an attorney, the videotaped interview proceeds. When it is completed, the youth is taken to the MPD Juvenile Processing Center at the Youth Services Center (YSC), located at 1000 Mt. Olivet Road, NE, for processing.
- If the youth *does* ask for an attorney, the interview stops and the youth is taken directly to the MPD Juvenile Processing Center at the YSC for processing.
- The officer is expected to notify the youth's parents upon arrival at the YSC. Processing includes a record check, photographing, fingerprinting, and health screening to identify any medical conditions.

If the offense is less serious and not violent: When a police officer takes a youth into custody for an offense that is less serious and not violent, the officer takes the youth directly to the MPD Juvenile Processing Center at the Youth Services Center (YSC), for processing and questioning. The officer is expected to notify the youth's parents upon arrival at the YSC. Processing includes a record check, photographing, fingerprinting, and health screening to identify any medical conditions.

After questioning, the police officer has three options:

- 1 **Release without charges** – the officer or a supervisor decides that the youth was not involved in the incident or that further proceedings are not necessary.

Even though the youth has been detained by the police, the youth has not been arrested and will not have an arrest record related to the incident. The youth will be released to his or her parent or caretaker. This youth and case have not entered the juvenile justice system.

- 2 **Diversion** – if the youth does not have a prior record and he or she is in custody for certain misdemeanors, the officer may choose not to arrest the youth and instead divert the youth away from the juvenile justice system into an alternative community-based program. The youth will be released to his or her parent or caretaker with directions for the youth to appear at the next session of the diversion program.

If the youth completes the diversion program successfully, the youth will have no juvenile record for this incident and, if asked, can say that he or she has not been arrested. This youth and case have not entered the juvenile justice system.

- 3 **Book the youth** – the officer decides that arresting the youth is appropriate. This youth and case have entered the juvenile justice system.

If a youth is booked, the MPD officer takes him or her to one of the Juvenile Intake offices of Court Social Services (CSS) for further processing. CSS is the District’s juvenile probation agency, and it is a part of the Superior Court Family Court.

The CSS probation officer:

- checks court records to learn if the youth has had any other court involvement,
- interviews the youth’s family if they have arrived, and
- interviews the youth.

These interviews serve two purposes: first, they help identify the youth’s and family’s strengths and needs. Second, they allow CSS to assign the youth a risk assessment score. CSS uses risk assessment scoring to help them make an informed recommendation to the judge at the first court hearing about whether to release or detain the youth and what other conditions to put in place between the first hearing and the trial.

If the MPD booking is completed before 1:00 in the afternoon, MPD takes the youth to the CSS Juvenile Intake office at the Superior Court Family Court, 500 Indiana Avenue, NW, for the interviews and risk assessment. The youth will have his or her first court hearing the same day.

If the MPD booking is completed after 1:00 in the afternoon, the youth will be taken to the CSS Juvenile Intake office at YSC for the interviews and risk assessment, and will not have his or her initial (first) court hearing until the next day. When that happens, Court Social Services uses the youth's risk assessment score to decide whether to release the youth to his or her parent or caretaker with a summons to appear in court the next day, or have the youth held in overnight shelter at the YSC or another location and taken to court the next day that initial hearings are held. Initial hearings are not held on Sundays.

While Court Social Services is meeting with the youth, an Assistant DC Attorney General (the prosecutor) meets with the arresting officer and other witnesses. Following that meeting, CSS provides the Assistant Attorney General with the information it has gathered related to the youth and to the behavior which brought him or her into the juvenile justice system.

The Assistant Attorney General also has several options for dealing with the youth. The Assistant Attorney General can choose to:

- 1 **"No paper" a case** – this means the prosecutor decides not to pursue the case in Juvenile Court. The youth is released to his or her parent or caretaker.

The youth has been booked by the police, so he or she has an arrest record and has entered the juvenile justice system, but charges have been dropped and the youth has not been prosecuted.

- 2 **Divert the youth out of the juvenile justice system** – the prosecutor decides to divert the youth into an alternative community-based program. The youth will be released to his or her parent or caretaker with instructions for the youth to appear at the next session of the diversion program. If the youth completes the diversion program successfully, the youth will have no juvenile conviction record for this incident.

However, the youth has been booked by the police and thus has an arrest record. If the youth fails to complete the diversion program, then charges will be brought in Juvenile Court.

- 3 **Petition the case in Juvenile Court** – the prosecutor decides that the case should be prosecuted in the juvenile justice system. If the youth was not detained after the CSS interview, the prosecutor must file a petition in Juvenile Court within seven days. If the youth was detained after the CSS interview, the Initial Hearing will be held the same day or, if the youth was held overnight, the next day unless it is a Sunday.

- 4 **Transfer the case to the adult criminal system** – the prosecutor may decide to petition the case in Juvenile Court but seek to transfer the youth and the case out of Juvenile Court to the adult Criminal Division of the Superior Court.

If the youth is at least 15 years old and is charged with murder, first degree sexual abuse, burglary in

the first degree, robbery while armed, assault with intent to commit any of those offenses, or any crime committed with a firearm, DC law presumes that the youth should be transferred to adult criminal court. However, the youth's attorney can argue to the Juvenile Court judge that the case should not be transferred to adult criminal court.

In some cases for youth ages 16 and 17, the United States Attorney (not the DC Attorney General) can decide to take the case directly to the adult Criminal Division without a Juvenile Court judge's approval. There is more information on this process of taking cases from the juvenile justice system into the adult criminal justice system on page 30 of this guide.

notes

investigation

FAQ'S

**FREQUENTLY ASKED
QUESTIONS
ABOUT THE
INVESTIGATION
STAGE**

- **How is “juvenile” defined by District of Columbia law?**

A juvenile is defined as a person 17 years of age or younger. Most juveniles who are charged with committing a crime are prosecuted in the District’s juvenile justice system. Once in the juvenile system, the system may retain control of the youth until he or she reaches age 21. However, juveniles aged 15 to 17 who are charged with certain violent crimes may be prosecuted in the adult criminal justice system. See page 30 of this guide for more information.

- **The police came to my house looking for my child, but he wasn’t here then. How do I find out what is happening?**

You can call the Public Defender Service (202-628-1200) between 9:00 a.m. and 6:00 p.m. Monday through Friday and ask to speak to the Duty Day Attorney. The Duty Day Attorney may be able to help you find out what is happening and may also invite you to bring your child to the Public Defender Service office to consult with an attorney.

You should know that you do not need to let a police officer enter your home or search it unless he or she has a warrant.

- **My child has been picked up by the police. How do I find out what is happening? And how do I notify the police that my child is taking medication and needs to continue that medication?**

Most times, juveniles are taken to the Youth Services Center (YSC) at 1000 Mt. Olivet Road, NE. You can call there (202-576-9222) to see if your child is there and to notify the police about your child’s medication. However, youths who are being questioned about serious crimes are taken first to the Metropolitan Police Department’s (MPD’s) Youth Division at 1700 Rhode Island Avenue, NE, before being taken to the Youth Services Center. You can call the MPD Youth Division (202-576-6768) to see if your child is there and to notify the police about your child’s medication. You can also call the Public Defender Service (202-628-1200) to ask for their advice. Be sure to make notes for yourself about the names of everyone you speak with.

- **Where will my child be processed after arrest?**

All juvenile arrests are processed through the Metropolitan Police Department's Juvenile Processing Center at the Youth Services Center (YSC), 1000 Mt. Olivet Road, NE, phone 202-576-9222.

- **What organizations are at the Youth Services Center?**

The Youth Services Center (YSC) includes the MPD Juvenile Processing Center (phone 202-576-9222), the Family Court Social Services Night and Intake Unit (phone 202-576-5171), and the Department of Youth Rehabilitation Services (DYRS) Juvenile Detention Facility. The private organization Parent Watch (phone 202-576-8386) also has an office in the Parent, Family and Community Resource Center on the first floor at the YSC to help parents help their children.

- **Who does DYRS hold in the YSC Juvenile Detention Facility?**

At the YSC, DYRS houses juveniles who:

- (1) are held overnight awaiting their initial hearing,
- (2) are held in secure detention after their initial hearing until their adjudication or disposition hearing,
- (3) are ordered to a community-based shelter house until their adjudication or disposition hearing but who are waiting to be transferred to that location, or
- (4) are females who have been committed to DYRS and who DYRS believes should be held in a locked facility.

- **What is a "status offender"?**

A "status offender" is a juvenile who is charged with committing an offense that would not be criminal if done by an adult. Examples of status offenses include underage consumption of alcohol, truancy from school, breaking curfew, and running away from home. In DC, status offenders are sometimes called PINS, for "person in need of supervision."

- **What rights does my child have when taken into custody by the police?**

Your child has the same "Miranda" rights as adults:

- the right to remain silent,
- the right to have access to an attorney, and
- the right to receive written notice of the charges against him or her.

In addition to an attorney, your child may also ask to speak with his or her parents, minister, or other advisor. Your child may be searched by the police, and anything found on him or her may be used against him or her at trial.

- **My child has been charged with a crime. Where will she be tried?**

Your child's case will probably be handled in Juvenile Court, which is part of the Superior Court Family Court. Most courtrooms for the Juvenile Court are on the JM Level of the courthouse at 500 Indiana Avenue, NW. Your child will have a defense attorney and should keep in touch with the attorney as the case progresses.

However, sometimes a juvenile's case may be handled in adult criminal court, either because the United States Attorney transfers the case directly to adult criminal court or because the DC Attorney General files a transfer petition in Juvenile Court asking the judge to transfer the case to adult criminal court. Adult criminal court is the Criminal Division of the Superior Court. Page 30 of this guide has more information on prosecution of juveniles in adult criminal court.

- **Can my child's arrest records be sealed?**
All juvenile arrest records are confidential and may be viewed only by limited categories of people. In addition, any juvenile who has been arrested for a delinquent act but who has not been the subject of a juvenile court petition may ask the Juvenile Court to seal his or her arrest record. Family Court Juvenile Rule 118 sets out the procedures for such requests.
- **Can my child's juvenile court records be sealed?**
Juvenile conviction records are also confidential and may be viewed only by limited categories of people. Under DC law, a person with a juvenile record has the right to have his or her arrest, prosecution, and court records sealed two years after the end date of his or her probation period or custody of the Department of Youth Rehabilitation Services, as long as he or she has not committed another offense during that time. The sealing is not automatic; the person must apply to the Family Court to get the records sealed.

- **What does "sealing a record" mean?**

Once the records are sealed, anyone who asks about the case will be told that it does not exist.

- **Can sealed juvenile records be unsealed?**

Yes. If the person whose juvenile record was sealed later has another juvenile adjudication or is convicted of a felony in adult criminal court, the sealed juvenile records are unsealed. If the person has been convicted of a felony in adult criminal court, the judge takes the unsealed juvenile record into account for sentencing purposes under DC's sentencing guidelines.

adjudication



2.



The Adjudication Stage

(Trial, or Fact-finding Hearing)

SUMMARY

This stage includes all the preparations and court hearings from the time formal charges are petitioned against a juvenile in juvenile court until a decision is made by a plea agreement or a trial about whether the juvenile committed a crime. In juvenile court, the trial is also known as the adjudication hearing or the fact-finding hearing.

Appointment of an Attorney

The first step in the adjudication stage of a juvenile case is to make sure the youth has a defense attorney to protect and defend his or her rights. If the family cannot afford to hire an attorney for the youth, the court appoints an attorney to defend the youth throughout the juvenile case, at no cost to the family. The defense attorney will be either a staff attorney from the Public Defender Service or another experienced attorney who has qualified to be appointed by the judge to represent juveniles. The defense attorney will represent the youth until the court's jurisdiction over the youth ends.

The defense attorney works for the youth, not for the parents or the court. Whatever the youth tells the attorney is confidential, and the attorney will generally not repeat what is said to anyone, including the youth's parents. The youth may ask for his or her parents to be involved, and may share information with the parents or ask the attorney to share the content of the discussions between the youth and the attorney. However, there is a significant risk to sharing information with the parents: the parents may be called by the prosecutor as witnesses against the youth if the case goes to trial.

The attorney talks with the youth before the Initial Hearing about the charges and evidence against him or her, about the youth's response to those charges and evidence,

about what will occur at the hearing, about the decisions the youth must make, and about what the youth wants the attorney to do at the hearing on his or her behalf.

Initial Hearing

The Initial Hearing takes place in Courtroom JM-15 in the DC Superior Court, 500 Indiana Avenue, NW. Persons in the courtroom during the hearing will be the prosecutor from the Office of the DC Attorney General, a witness for the prosecution (usually a police officer), the youth, his or her parents and others they have asked to be with them, the defense attorney, a probation officer from Family Court Social Services, the juvenile court judge, and court staff members. Juvenile Court hearings are generally closed to the press and public. However, the press may get permission from the court to attend hearings on the condition that they not disclose any identifying information about any youth whose hearing they attend.

The purposes of the Initial Hearing are to give official notice of the charges against the youth and to decide on the appropriate pretrial placement for the youth. After every Initial Hearing, the judge will issue a court order related to the youth's placement and may also issue a Parent Participation Order placing requirements on the youth's parents. Both orders will give the date of the next court hearing.

1 Consent Decrees

One possible outcome of the Initial Hearing is a consent decree. In a consent decree the case is resolved by a special type of agreement between the prosecutor, the CSS probation officer, and the youth.

This type of agreement is worked out before the Initial Hearing. The judge accepts that agreement and enters a consent order on the juvenile court record which specifies the actions and conditions that the youth has agreed to comply with. The youth is released to his or her parent or caretaker.

If the youth complies with all the conditions of the consent decree, the case will be dismissed at the end of an agreed-upon period of time and the youth will have no juvenile record for this offense (but will still have an arrest record). However, if the youth violates the conditions of the consent decree, the case is reactivated and will proceed through the regular stages of the system.

2 Probable Cause / Detention

If there is no consent decree, the next step is the Probable Cause / Detention part of the Initial Hearing. In this step, the judge tells the youth and family the charges against the youth. The probation officer from Court Social Services presents the results of the interviews and risk assessment and makes a recommendation to the judge about where the youth should be placed until the trial. The youth should be placed in the least restrictive setting that will also protect the public and the youth and ensure that the youth appears for later hearings.

In order to detain the youth until trial, the judge first has to decide that there is probable cause to believe that the youth committed a crime. Both the prosecution and the defense can present evidence

for the judge to consider. If the judge finds that there is probable cause, then the judge must decide whether it is necessary to detain the youth until trial. The parents are usually given the opportunity to speak to the judge about detention.

The judge will decide to do one of three things at the Probable Cause/Detention part of the Initial Hearing:

a) Release the youth.

The judge decides to release the youth to his or her parents or another approved person with certain conditions, until the next court proceeding. These conditions may include:

- home checks, curfew checks, or drug checks;
- wearing an electronic monitor that tracks the youth's location;
- staying away from certain persons or locations;
- attendance at school, participation in programs, attendance at after-school centers, attendance at evening reporting centers, mental health evaluations; and
- any other conditions that the judge believes will keep the youth out of trouble and ensure his attendance at future court hearings.

The youth must sign a form that tells him or her that if he or she does not comply with the conditions of release, he or she will be placed into shelter care or secure detention. The youth will be assigned to a Court Social Services (CSS) probation officer, who will

monitor the youth's compliance with the release conditions and will have responsibility for the youth's case until it is completed.

A large majority of the youth charged in juvenile court are released before trial, under CSS supervision.

b) Place the youth in Shelter Care.

The youth will be sent to live in a community-based shelter house until the next court proceeding, which will be a status hearing. If no spaces are available at the shelter houses, the youth will stay at the Youth Services Center (YSC) until a shelter house bed is available. The shelter house providers supervise and monitor the youth's behavior. The youth attends school, receives meals at the shelter house, and receives other services if they have been ordered by the judge.

The Department of Youth Rehabilitation Services (DYRS) has responsibility for the shelter houses. A Court Social Services probation officer is also assigned to have case-monitoring responsibility for the youth until the case is completed.

c) Place the youth in Secure Detention.

The youth will be held in the locked facility at the Youth Services Center at 1000 Mt. Olivet Road, NE, under supervision by the Department of Youth Rehabilitation Services (DYRS), until the next court proceeding, which will be a status hearing.

Between the Initial Hearing and the Status Hearing, both the prosecution and the defense must complete their investigation and evaluation of the charges by interviewing possible witnesses, reviewing the evidence, filing appropriate motions in the juvenile court, and planning for the best outcome based on the investigation. This investigation and analysis are necessary so that both the prosecution and the defense can decide their positions on whether the case will be dismissed, resolved by a plea agreement, or go to trial. A large majority of juvenile cases are resolved by a negotiated plea agreement.

Status Hearing

The next court hearing is a Status Hearing. At this hearing, the judge may review the pretrial placement decision and may change that placement order or leave it in place. At the Status Hearing, the judge also decides questions related to “discovery” of evidence and schedules additional hearings if they are necessary. The prosecutor and defense attorney discuss whether the case will be resolved by a plea agreement or whether it will go to trial. Most juvenile cases are resolved by a negotiated plea agreement.

However, if no plea agreement is expected, then a trial date will be set. Just as at the Initial Hearing, the judge will issue a court order to record all the decisions made at the Status Hearing, including the conditions imposed on the youth pending trial. The judge may also amend the Parent Participation Order or issue a new one, to let the parents know what they are required to do.

Unless there needs to be another hearing to decide motions made by either side, the next court hearing will be the Adjudication or Fact-finding Hearing (called a trial in the criminal system).

Adjudication

- 1 If the youth has been released until trial, there is no deadline for the Adjudication Hearing.
- 2 If the youth has been in secure detention, DC law requires that the Adjudication Hearing be held within 30 days after the youth was taken into custody by the police *unless* the youth is charged with murder, assault with intent to kill, or first degree sexual assault. If the youth is charged with one of these crimes, the deadline is 45 days.
- 3 If the youth has been in shelter care, DC law requires that the Adjudication Hearing be held within 45 days after the youth’s detention by the police. For youth in either secure detention or shelter care, the trial may be postponed beyond those deadlines for certain specific reasons, if the judge approves the request.

There are no juries in juvenile court. The judge conducts the hearing and makes the decision about whether the prosecutor has presented sufficient evidence to prove the case against the youth beyond a reasonable doubt. The youth’s defense attorney has the opportunity to present evidence to counter the prosecution’s evidence.

There are two possible decisions the judge may make after hearing all the evidence during the Adjudication Hearing:

- Find the youth **“not involved”** – this is like a not-guilty verdict in an adult criminal trial. If the judge decides that the prosecution did not prove the allegations against the youth beyond a reasonable doubt, the youth is cleared of the charges. He or she will be released to his or her parents or caretakers. The case will remain on the youth’s juvenile record, but the record will show the case was not proven.
- Find the youth **“involved”** – this is like a guilty verdict in an adult criminal trial. A youth may be found guilty of all or some of the charges against him or her. The judge may sentence the youth

immediately after the guilty finding. If the judge does not sentence the youth immediately, the judge will issue a court order that determines where the youth will live until his or her Disposition (sentencing) Hearing. During this period between Adjudication and Disposition, the judge may release the youth with conditions, order the youth to Shelter Care, or order the youth to Secure Detention at YSC. The judge will order that a predisposition report be prepared by the Court Social Services probation officer, who will gather and evaluate all information that is needed for the judge to decide on the appropriate disposition (called the “sentence” in the adult criminal system) for the youth.

notes

adjudication

FAQ'S

**FREQUENTLY ASKED
QUESTIONS
ABOUT THE
ADJUDICATION
STAGE**

- **How does my child get an attorney?**

Unless you have hired an attorney for your child, or the Public Defender Service has already agreed to represent your child, your child will have an attorney appointed to represent him or her on the day of the Initial Hearing. This will be done through the Defender Services Office on the C Level of the DC Superior Courthouse. Before the Initial Hearing, the attorney will interview and speak with your child and any family members who have come to the courthouse.

- **Which courtroom should I go to? Which judge?**

You must show positive identification at the courthouse to be given any information related to juvenile cases. Parents are expected to attend their children's hearings and only certain other people are permitted to attend. If you are permitted to attend a juvenile hearing, a clerk in the Juvenile and Neglect Branch of the Family Court, in Room 4310 of 500 Indiana Avenue, NW, will direct you to the correct courtroom. For more information, call 202-879-1465.

- **My child has been released pending trial. How long does he or she have to wait before the trial begins?**

There is no deadline under DC law for the trial of youth who are released pending trial. The DC Family Court has standards that call for at least 70% of such youth to be tried within 120 days (4 months) after their Initial Hearing, and at least 90% of such youth to be tried within 180 days (6 months) after their Initial Hearing.

Your child's defense attorney should keep you informed about the progress of the case, and the court will notify you of the dates of all court hearings, because parents are expected to attend all of their child's hearings. If your child's attorney is not keeping you informed, you should tell the judge or call the Public Defender Service.

- **How do my child and I keep track of all the things we can and cannot do while he or she is released pending trial?**

Your child signed a copy of the release order that lists the conditions he or she must comply with while awaiting trial. A Court Social Services probation officer has been assigned to your child, and the probation officer will be in frequent contact to monitor your child's compliance with the conditions. The judge also gave you a Parent Participation Order that lists all the steps the judge expects you to take while your child is released pending trial. You should keep all documents related to the case and related to your compliance with the court's orders together in a safe place, and you should be ready to bring them with you to court hearings if necessary.

- **My child has been sent to secure detention at the YSC pending trial. How long does he or she have to wait before the trial begins?**

Under DC law, a juvenile sent to secure detention must have his or her case heard at an Adjudication Hearing (trial) within 30 days of his or her initial detention by the police. That deadline for trial in the Juvenile Court is extended to 45 days if the charges against your child include murder, assault with intent to kill, or first degree sexual abuse. In some cases, these deadlines can be extended.

- **My child was ordered to shelter care or secure detention until trial, so he will be absent from his DC Public School. Who should I tell at his school?**

It's very important for you to act quickly. You should contact the Attendance Counselor at your child's school immediately. A phone call is OK at the start, but you should also send the Counselor a written note. The Attendance Counselor is responsible for accurately recording the reason for the absence, excused or unexcused. The Attendance Counselor you contact should also work closely with the Registrar to determine if your child needs to be withdrawn from the school, which will depend on how long he will be absent.

- **What about school if my child is in secure detention at the YSC?**

The DC Public Schools provides school for the youth who are being held at the Youth Services Center. Classes are held daily at the Center.

- **How can I help my daughter stay current with her school work while she is detained until trial?**

This is one area where a parent can play a very important role. You should contact your child's school counselor and teachers and ask them to gather the assignments and school materials into an educational package for you to get to your daughter so she can keep up with her work. You may need to be persistent about asking for this package. If you don't receive help in a few days, you should notify the school's Dean of Students or Assistant Principal, and if that doesn't work, contact the DCPS Central Office.

- **My son was in honors and an Advanced Placement course in his school, and now he's being detained and can't attend his school. Will he lose credit for those classes?**

You should work with your son's attendance and guidance counselors to be sure that he receives excused absences, all his class assignments, homework, and tests. As long as his absences are excused, he should be allowed to receive and submit assignments to stay current with his school work.

- **Can I visit my child in detention?**

Yes, you are encouraged to visit your child. Parents, grandparents, legal guardians, and siblings can visit. Family visiting is allowed on Saturdays and Sundays, but you can visit only during a specific two-hour visiting period for your child depending on the unit he or she is assigned to. So be sure to call YSC at 202-576-8412 or 202-576-9018 before traveling to YSC, to find out when you can visit, and be sure to ask what the visiting rules are.

- **My child has been sent to a shelter house pending trial. How long does he or she have to wait before the trial begins?**

DC law provides that juveniles in shelter care must have their adjudication hearing within 45 days of their initial detention by the police.

- **What about school if my child is in a shelter house?**

Your child will attend school while he or she is in the shelter house awaiting trial, but it may not be the same school he or she was attending. The shelter house operator will arrange to take your child to school and pick him or her up after school. As mentioned before, you can help your child stay current on his or her school work by asking the counselor at his or her old school to gather an educational package of assignments and materials.

- **My child was in night school, and now he is being detained until his trial. Is he going to be kicked out of that school?**

As with other schools, you should notify the night school Principal or Counselor quickly by phone and then in writing to explain your son's absence and be sure it is recorded correctly. If a student has 15 or more unexcused absences, the student can be automatically withdrawn from the school. Ten unexcused absences results in automatic failure in the course.

- **Who may view a Juvenile Court case file?**

The juvenile, his or her parent or guardian, an assigned defense lawyer, the parent or guardian's lawyer (if he or she has one), an Assistant DC Attorney General, judges, and professional staff of the court have the right to look at a Juvenile Court case file.

In addition, when it is necessary for carrying out their official duties, the Mayor's Liaison Office, other prosecutors or defense attorneys, law enforcement personnel, authorized personnel of other DC

government agencies or private agencies, and other courts may view the file. The DC Attorney General may also give victims, eyewitnesses, and their attorneys some information that is contained in the file. Finally, a judge may grant access to other persons for specific reasons.

- **Who is allowed in the courtroom during my child's hearings?**

Juvenile court proceedings are confidential and closed to the general public. The judge, prosecuting attorney, defense attorney, the juvenile and his or her parents or guardian are present. If the parent or guardian has an attorney or another advisor or advocate, that person will also be permitted into the courtroom.

In addition, the victims and eyewitnesses and the immediate family members and custodians of the victims and eyewitnesses have the right to attend all of your child's hearings, unless they will testify at the Adjudication Hearing. If the victims or eyewitnesses testify, their immediate family members and custodians have a right to be present during the testimony.

- **Are members of the media allowed to be a part of my child's hearings?**

In most cases, outside parties are not allowed to observe juvenile proceedings. However, under DC law, the judge may permit members of the media to attend a juvenile hearing as long as they promise not to disclose any information that identifies the child or members of the family involved in the proceedings.

- **What rights does my child have during trial?**

Except for not having the right to a jury trial, your child has the same rights that an adult has when charged with a crime:

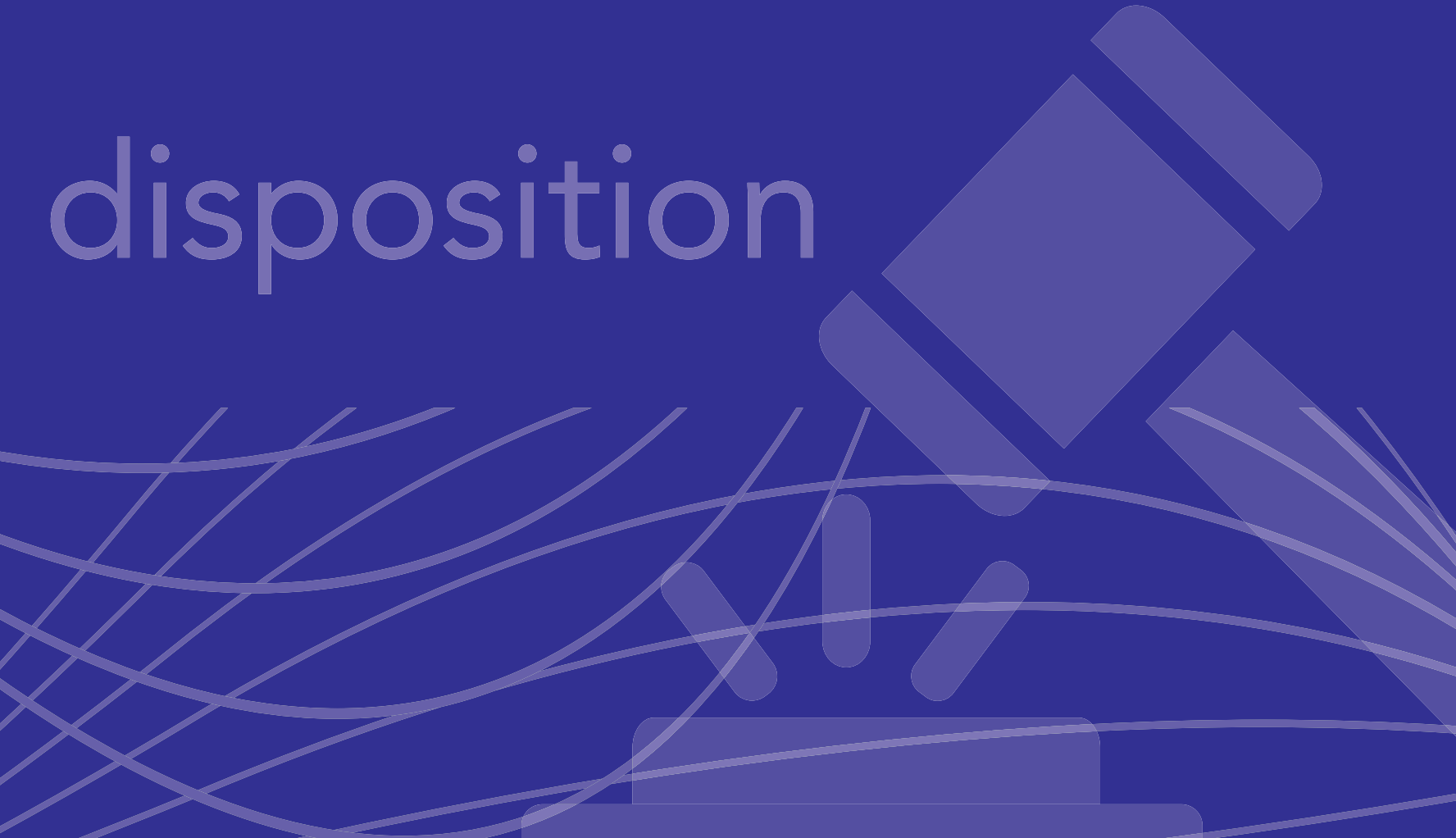
- Your child has a right to attend all hearings in his or her case.
- He or she may testify or choose not to testify, may call witnesses to testify for him or her, and may present other evidence that is helpful to his or her defense against the charges.
- Your child's lawyer has the right to cross-examine any witnesses presented by the prosecutor.
- Your child cannot be found "involved" unless the prosecutor proves the case beyond a reasonable doubt.
- Under some circumstances, your child has the right to keep some evidence out of the trial.

Your child's lawyer should explain these rights and procedures to your child.

- **I think the judge was wrong and should not have "convicted" my child. Can my child appeal?**

Yes, your child can appeal in the District of Columbia Court of Appeals. But your child should first discuss with his or her lawyer whether there are good reasons for the appeal, what the chances are of having the judge's decision overturned, how long the appeal will take, and what will happen to your child during the appeal. If your child decides to appeal, the trial lawyer or another lawyer will represent him or her in the appeal.

disposition



3.



The Disposition Stage (Sentencing and Rehabilitation)

SUMMARY

Pre-Disposition

Only those juveniles who have been found to be “involved” in a delinquent act enter the disposition stage of the juvenile justice system. In the adult criminal system, the disposition is known as “sentencing.” The time between adjudication and the disposition hearing is used to gather and evaluate all the information the judge will need in order to decide on the appropriate “disposition” for the youth.

Because parents are responsible for their children’s behavior, the judge will need information about the family as well as the youth. Court Social Services will interview and evaluate the youth and family in a variety of ways and will then write a comprehensive report that includes a social, emotional, educational, and delinquency history of the youth, a recommendation for a plan of treatment services, and a recommendation for sentencing. If Court Social Services plans to recommend that the youth be “committed” to the Department of Youth Rehabilitation Services (DYRS), then DYRS will also write its own detailed report for the judge about its plan for rehabilitating the youth during his or her commitment.

Both Court Social Services and the Department of Youth Rehabilitation Services use Family Team Meetings to engage the youth and his or her family in joint planning for the youth’s rehabilitation. Family Team Meetings may be held at several times: during the period before Disposition is decided by the judge or at various times during the probation or commitment period. Family Team Meetings provide a very good opportunity for the youth and family members to speak and be heard, so it is very important for parents to attend and participate actively in any Family Team Meeting regarding their child.

Disposition Hearing

At the Disposition Hearing, the prosecutor and the defense will advocate for the disposition plan each believes is appropriate for the youth. If the prosecutor and defense have reached a plea agreement before the adjudication, they will present that agreement to the judge at the Disposition Hearing. Otherwise, the judge must decide the most appropriate “sentence” for the youth who has been found involved after a trial or who has entered a plea of involvement in the offense charged. During the Disposition Hearing, the judge weighs all available information from all parties, including the report from CSS, any victim impact statement that a victim of the youth’s crime has presented, and any reports provided by the youth’s lawyer. The judge also listens to the recommendations and arguments made by the prosecutor and the youth’s lawyer.

Under DC law, the disposition must:

- hold the youth accountable for his or her behavior
- maintain the safety of the victim and the community
- provide appropriate rehabilitative services to the youth in the least restrictive setting that is consistent with public safety.

Also, in order to sentence a youth the judge must find that:

- the youth committed a delinquent act AND
- the youth is in need of care and rehabilitation.

The law presumes that a youth who has committed a delinquent act needs such care and rehabilitation, but the

youth may try to overcome that presumption at the Disposition Hearing by presenting clear and convincing evidence that there is no need for rehabilitation. If the judge agrees that the youth does not need rehabilitation, he or she will dismiss the case for social reasons.

Thus, at the Disposition Hearing, the judge has three options:

- Dismiss the case for social reasons;
- Order the youth into a period of probation supervised by Court Social Services; or
- Decide the youth must be committed to the Department of Youth Rehabilitation Services. Once a judge commits a youth to DYRS, the judge has no role in deciding on the youth’s rehabilitation plan; only DYRS has that authority.

Most delinquent youths are ordered to probation. They remain in the community under the supervision of the Family Court Social Services probation officers until they finish their probation. Most of the youths that judges commit to DYRS supervision also remain in the community or in community-based group homes.

DYRS places the committed youths who are the greatest risk to others in secure detention at the New Beginnings Youth Development Center in Laurel, Maryland if they are male, or at the Youth Services Center in DC if they are female. DYRS may also place committed youth in residential treatment facilities if they have serious mental illness, substance abuse problems, or other issues that cannot be treated at New Beginnings or YSC.

FAQ'S

**FREQUENTLY ASKED
QUESTIONS
ABOUT THE
DISPOSITION STAGE**

- **Why is my child being reassigned to a different probation officer?**
Youths are often assigned new probation officers when their cases are transferred to a Court Social Services team for a “social study” that provides in-depth information about the youth. The new probation officer will monitor your child if he or she remains in the community prior to the disposition hearing. The probation officer will try to ensure that your child complies with the conditions the judge set for him or her on release and will evaluate whether community-based supervision is a reasonable plan for your child.
- **What kind of information goes into the social study report?**
The report includes arrest records, family background, education and health histories, and identified strengths and needs. The social study must also include any information the victim or the victim’s family has provided about the impact of the crime. The social study ends with a recommended treatment plan, because a major purpose of the juvenile justice system is to promote rehabilitation of the youth. The probation officer will discuss the proposed disposition plan with you and your child before it is finalized. Your child’s defense attorney will also discuss the proposed disposition plan with your child.
- **Why do the people at CSS ask so many personal questions?**
They need to know as much information about the youth and his or her family as they can to make appropriate recommendations for treatment and sentencing.
- **What is the Child Guidance/Family Counseling Clinic?**
The Child Guidance/Family Counseling Clinic is a part of Court Social Services that provides testing, evaluation and counseling services to court-involved youth and their families.
- **Why do we have to have psychological evaluations?**
The psychological evaluations provide information to judges, probation officers, and parents regarding the educational, emotional, and social needs of the juvenile so that appropriate treatment can be provided.

- **How long will the evaluation take?**
Each evaluation is tailored to the specific child. Since the evaluation is comprehensive, it may require several hours.
- **Why are parents asked to come with their child?**
Parents help their child find the Clinic and prepare for the evaluation, and they provide emotional support. Parents are also an important source of information regarding their child's health, education, development, and adjustment. Parents can also ask questions and present their concerns.
- **What is expected of the parents during this social study?**
Parents complete questionnaires that contribute to the evaluation and they are expected to participate in an interview to discuss their child's developmental history and family relationships. Parents will also be interviewed regarding their own social histories. Parents have to ensure that their child is available for all referrals and is in full compliance with all Conditions of Release. Someone from CSS will also visit the home.
- **Are most delinquent youth committed to DYRS?**
No, most delinquent youth are placed on probation under the supervision of Family Court Social Services, not DYRS.
- **My child was placed on probation. Why am I being referred for family counseling services?**
Your child's probation officer or the judge referred you because they felt your family could benefit from these services during your child's probation period so that your child does not return to the criminal justice system.
- **How long is the family counseling program?**
Court Social Services provides 16 sessions with families. The sessions are held weekly for approximately 45 to 60 minutes each.
- **What is individual counseling?**
Individual counseling or therapy is a process in which the child meets one-on-one with a counselor to discuss the feelings he or she has about the behavior that brought him or her into juvenile court and about life in general. The counselor helps the youth learn how to express feelings, develop social skills, and create new ways of solving problems. Parents support their children by ensuring they attend sessions regularly, participate actively, and use new strategies. Parents may attend some sessions at their own request or at the request of the counselor.

- **The teenager who broke into my house was sentenced to probation. I thought he'd be locked up. What happens on probation?**

The teen will be supervised by a probation officer who works for the Superior Court Family Court. For the first 60 days, the teen will get maximum supervision: one office visit, one home visit, and one school or work visit each week. In addition, if the teen has had any history of drug use, he or she will be drug tested during the probation period and referred if needed for drug education or treatment. There may be other requirements, such as curfew checks, electronic monitoring, community service, restitution to the victim or payment of a fine, school attendance or employment, or others.

After the first 60 days, if the teen has complied with all the probation requirements, the number of supervision contacts with their probation officer per week will be reduced.

- **How long does probation last?**

Probation typically lasts for one year, but it could be less or more. That is a decision the judge makes. The judge can extend probation year by year until the youth's 21st birthday. This will only be done if requested by CSS or OAG and after the judge holds a formal hearing. The youth's defense lawyer will continue to represent the youth at any such hearing.

- **What happens if a juvenile doesn't follow the probation rules?**

Court Social Services and the youth's probation officer can change the conditions of the probation, such as increasing the amount of supervision and other requirements. If the juvenile continues to violate probation requirements, the Office of the Attorney General may file a motion with the juvenile court asking the judge to revoke the probation and instead commit the youth to DYRS. If OAG files such a motion, the youth's lawyer will need to represent the youth's interest in opposing the revocation of probation.

- **What happens if my child gets placed with DYRS?**

DYRS will present its plan for rehabilitating your child at the disposition hearing. After hearing that plan and any alternatives, the judge may decide to commit your child to DYRS:

- for a specific time on a restricted basis, or
- for a specific time but on an unrestricted basis.

If the judge chooses the first option, this restricted commitment would mean that DYRS must come back to court before it may end your child's commitment. If the judge chooses the second option, this unrestricted commitment gives DYRS the authority to end the commitment whenever it decides that is appropriate. In either case, DYRS alone decides what to do with your child during the commitment period.

- **What will DYRS do with my child?**

DYRS will generally follow the supervision and rehabilitation plan it presented to the judge at your child's disposition hearing, but it may adjust its plan during the commitment to respond to new conditions. DYRS has a variety of options, depending on your child's needs at any time during the commitment *and* the degree of risk he or she poses to the community. DYRS has a practice of holding Family Team Meetings to engage the youth and family in planning the rehabilitation. The housing options include home release, placement in a supervised group home, independent living, placement in a therapeutic group home, or placement in a residential drug treatment program. Most committed youth are placed in community settings. If DYRS believes that your child should not be in the community, it will place him in secure confinement for a period of time at New Beginnings Youth Development Center if your child is male or at the Youth Services Center if your child is female, or in another residential center.

- **How long does commitment to DYRS last?**

The judge at the disposition hearing sets the length of commitment. A juvenile commitment must end no later than a youth's 21st birthday. Unless the judge has set a minimum length for the commitment to DYRS or has ordered that the youth cannot be released from commitment without the approval of the judge, DYRS may release the youth from commitment whenever it determines that the youth has been rehabilitated.

disposition



special
situations



4.



Special Situations

JUVENILE DRUG COURT

What is the Juvenile Drug Court Program?

The Juvenile Drug Court Program is an 8-month substance abuse treatment program available to some juveniles as an alternative to regular probation.

Who is eligible for the Juvenile Drug Court Program?

- Juveniles must be District of Columbia residents between the ages of 15 and 18.
- Juveniles who are drug-dependent or have a drug disorder are eligible.
- Juveniles must be on probation for an eligible charge (one that does not involve violence or sexual abuse).
- Juveniles must not have emotional or mental health problems that would interfere with their ability to participate.

What are the specific services and requirements?

- Initial assessment to determine eligibility;
- Case management by two probation officers: a traditional Supervision Officer and a Treatment Case Manager;
- Bi-weekly drug testing and bi-weekly court review hearings to hold the juvenile accountable;
- Participation in individual and group counseling;
- Family counseling to encourage parental support;
- Coordination of psychological and psychiatric evaluations;
- Based on the juvenile's Individual Treatment Plan, the following additional services may be provided: school advocacy, tutoring, mentoring, and recreational programs.
- If the youth does not comply with the court's orders, he or she may be detained.

TRANSFER INTO THE ADULT CRIMINAL SYSTEM

Who decides whether my child will be tried as an adult?

Sometimes the prosecutor; sometimes the judge. This decision is made after arrest when the prosecutor reviews the information provided by the police and the CSS juvenile intake office. If the juvenile is 16 or 17 *and* is being charged with murder, first degree sexual abuse, burglary in the first degree, armed robbery, or assault with intent to commit one of those offenses, the United States Attorney has the right to decide to charge the youth as an adult rather than leave the case in the juvenile court. This is commonly known as a "Title 16" case, referring to the part of DC law which permits it.

If the youth is at least 15 *and* is being charged with a felony, the decision will be made by a Family Court judge if the DC Attorney General asks the Family Court to transfer the case to adult criminal court. This is commonly known as a "transfer case."

What is a transfer petition?

A transfer petition is a motion filed by the DC Attorney General in juvenile court to remove the case against a youth child from juvenile court and try him or her as an adult.

I am very afraid of what will happen to my child. Can my child's lawyer fight against the transfer to adult court?

There is no way to oppose the United States Attorney's decision to charge your child as an adult if your child is 16 or 17 and is charged with one of the offenses listed above. If your child is 15, your child's lawyer can oppose the transfer petition when there is a hearing in juvenile court. But it is hard to win such a fight, because DC law presumes your child should be tried as an adult if he or she is charged with one of the serious crimes listed above, so the only way to win is to present enough evidence to overcome that presumption.

My child is being tried in adult court as a "youthful offender."

What is a youthful offender?

Youthful offender refers to a juvenile who is being tried in adult court. The status usually guarantees your child the right to have a closed trial. If convicted in adult court, if he or she has met all of the conditions set forth by the court, when a youthful offender becomes 21, his or her criminal record will be cleared.

TRAFFIC OFFENSES

My child has been charged with driving without a permit. Does the Family Court handle that?

It depends on your child's age and the specific charge or charges against him or her. Under DC law, youth under age 16 who are charged with committing traffic offenses have their cases handled in the Family Court Juvenile Court, but 16 and 17-year-old youth who are charged with committing traffic offenses are treated as adults and have their cases handled in adult court, except as described in the next paragraph. Adult traffic offense cases are generally held in the Superior Court Criminal Division's Traffic Branch.

If a 16 or 17-year-old youth is charged with any other offense arising from the same incident that brought the traffic charge, both charges are joined and heard together by the Family Court Juvenile Court.

JUVENILES WHO ARE NOT COMPETENT TO STAND TRIAL

My child has been charged with a crime, but he really doesn't seem to understand what is going on. I don't know what to do to help him.

The Fifth Amendment to the US Constitution guarantees that juveniles may not be tried for criminal offenses if they are unable to understand the proceedings or to help their attorneys prepare their defense. You should talk with your child's defense attorney about your concerns. Most youth are able to understand the proceedings and help their attorney if they are properly guided by their attorney.

However, a juvenile's defense attorney who believes his or her client is not competent should ask the Juvenile Court to order appropriate evaluations of the youth and then to hold a hearing to decide if the youth is competent. If the judge decides the youth is not competent, the Juvenile Court proceedings must be suspended. The DC Attorney General will decide whether to start a separate proceeding to determine if the youth should be committed to the care of the DC Department of Mental Health.



lawyer's
responsibilities

5.



The Lawyer's Responsibilities to the Youth

SUMMARY

The Family Court has standards for the performance of any lawyer who represents a youth in Juvenile Court. The court requires the lawyer to advocate strongly on behalf of the youth, no matter how serious the charges against the youth, and to continue to represent and advocate for the youth for the entire time the youth is under the authority of the juvenile justice system. The youth's lawyer should also discuss with the youth's family what the juvenile court process will be and should make sure the family understands that process.

The practice standards are very detailed, and they are available online at the court's website: <http://www.dccourts.gov/dccourts/docs/0413a.pdf>, or the youth or his or her parent or caretaker could ask the youth's attorney to provide them with a printed copy. Here, from page 7 of those standards, is a short summary of what a youth (and his or her parents or caretakers) should expect from the youth's defense attorney:

- On-going communication;
- Thorough investigation;
- Attempts to settle the case and other important issues;
- Adequate pretrial preparation;
- Attendance and participation in court conferences and hearings;
- Post-hearing follow-up and review of court orders;
- Assistance to clients with obtaining services or navigating the court system;
- Effective disposition and post-disposition advocacy; and
- Discussion with clients about rights to appeal.

It is important for parents to remember, however, that their child is the lawyer's client, not the parents, and that the lawyer cannot reveal to the parents what he and the youth have discussed, unless the youth asks him to.

victims or
eyewitnesses



6.



Additional Information for Victims or Eyewitnesses

SUMMARY

Victims or eyewitnesses to DC crime can call on the prosecutor in their case to get answers to their questions and to ask for help dealing with the stress and other consequences of the crime. The DC Attorney General's Office has a special section that helps victims and witnesses. Its phone number is 202-727-3500. You can call them with questions or problems.

Victims and witnesses should also know the DC Council has passed a law that includes specific protections and rights for victims or eyewitnesses in juvenile delinquency proceedings. Here is a partial summary of what that law says and what you should be able to expect:

A. A victim or eyewitness of a delinquent act should:

1. Be treated with dignity, respect, courtesy, sensitivity, and with respect for the victim's or eyewitness' privacy;
2. Be notified in advance of dates and times of juvenile hearings;
3. During any phase of the investigative proceedings or court proceedings, be provided, if possible, a waiting area that is separate from the juvenile and his or her friends and family;
4. Be informed of financial assistance, criminal injuries compensation, and any other social services that may be available to the victim, and receive assistance or information on how to apply for such programs;
5. Be advised of when it is possible to have stolen property returned and how to request it;
6. Be informed when there is a right to request restitution, or repayment.

- B. A victim and the victim’s immediate family members have the right to submit a victim impact statement** in all cases and have the victim impact statement considered in the disposition of the case.
- C. The court should try to minimize contact between the juvenile, his or her family and friends and the victim** and his or her family and friends before, during, and immediately after any court proceeding.
- D. Unless the law requires it, the prosecution shall not be required to disclose the names or addresses of its witnesses prior to a hearing.**
- E. The juvenile, and his or her attorney or representative must clearly identify himself** or herself as being, representing, or acting on behalf of the juvenile at the beginning of any contact with the victim, the victim’s family, or other persons believed to be eyewitnesses to the offenses charged.

victims or eyewitnesses

glossary



7.



Glossary of Terms as They Are Used in This Guide

Adjudication Hearing: A final hearing in which the judge determines whether or not the juvenile is involved or guilty of the delinquency or status offense charged in the petition. Also sometimes called a Trial or a Fact-finding Hearing.

Appeal: A formal request that a case be sent to a higher court for review or rehearing.

Arrest: The taking into custody of a person suspected of committing a crime.

Attorney (or lawyer): A person trained in the law and licensed by the District of Columbia who can provide legal advice and represent persons in court.

Booking: The process of entering a formal charge in police records and then photographing, fingerprinting, and getting information from a suspect following an arrest.

Charge: A formal allegation made against a person that he/she has committed a crime.

Commitment: Transfer of legal responsibility for a juvenile from his parents or legal guardian to the DC Department of Youth Rehabilitation Services until the juvenile reaches age 21 or is released by DYRS from that commitment before age 21.

Confidential: Closed to the general public or not permitted by law to be revealed to the general public. In the context of a juvenile's relationship with his or her attorney, whatever is discussed between them cannot be revealed to anyone else without the juvenile's consent.

Consent Decree: An agreement or compromise between the prosecutor and the juvenile resulting in a dismissal and end to the charges provided that the youth complies with the agreed conditions.

Conviction: A decision made by a judge that the juvenile is guilty beyond a reasonable doubt of the crime for which he or she has been tried. Usually called *Involved*, in juvenile court.

Court Social Services: Part of the DC Superior Court Family Court, Court Social Services (CSS) is the District's juvenile probation agency. CSS also plays a major role before the Initial Hearing, during the Pretrial period, and between Adjudication and Disposition.

Defendant: See *Respondent*.

Defense Attorney:

The lawyer who represents the defendant or respondent in juvenile court proceedings.

Delinquent: A juvenile who has been found in a court proceeding to have committed an act which would be a crime if committed by an adult.

Detain: Hold a juvenile in a secure place other than his or her home.

Detention: Placement of a juvenile in a secure, locked facility after a juvenile court hearing or overnight before an Initial Hearing.

Detention Center: A secure facility where juveniles may be held temporarily.

Disposition: The sentence or other final rehabilitation plan ordered by the judge in a juvenile case, designed to hold the juvenile accountable, maintain the safety of the victim and the community, and provide rehabilitation services to the juvenile in the least restrictive setting consistent with public safety.

Disposition Hearing: The sentencing hearing in a juvenile case after a juvenile has been found guilty of the charges.

Diversion: The process of removing a youth from the juvenile justice system by referring him or her to a rehabilitation or treatment program.

Fact-finding Hearing: See *Adjudication Hearing*.

Felony: A criminal offense that is more serious than a misdemeanor.

Guilty: An admission made by the juvenile that he/she committed a crime, or a decision made by the judge after an adjudication hearing that the juvenile committed a crime. A guilty juvenile is said to be *involved*.

Hearing: A formal court proceeding in which evidence, testimony, and arguments are presented before a judge.

Initial Hearing: The first court hearing in a juvenile case.

Involved: See *Conviction*.

Juvenile: Generally, any person under the age of 18 years.

Juvenile Court: The court that handles matters involving juveniles. In the District, this is the DC Superior Court Family Court.

Juvenile Drug Court Program: A special substance abuse treatment program offered by the DC Superior Court Family Court which is available to some juveniles as an alternative to regular probation.

Juvenile Processing Center: The unit of the Metropolitan Police Department which is located at the Youth Services Center, and at which all juvenile arrests are processed.

Lawyer: See *Attorney*.

Miranda Warning: Named after a decision by the US Supreme Court, this refers to the requirement that police who take a person into custody must inform that person before questioning of his or her rights to silence and to an attorney.

Misdemeanor: A criminal offense that is less serious than a felony.

Motion: A written or oral request to the court to make a specific ruling or order.

No Paper: Refers to a prosecutor's decision not to petition a case in juvenile court. When this occurs, the juvenile who had been arrested is released with no conditions.

Parent Participation Order: Issued by a judge after a court hearing, this includes a list of the actions a parent is expected to take while their child has a case in the juvenile court.

Person in Need of Supervision (PINS): A charge that a juvenile's behavior could be harmful to his or her own safety and requires court intervention. See also *Status Offender*.

Petition: A document that a prosecutor files in court that alleges that a juvenile has committed a criminal offense or is a person in need of supervision.

Plea Agreement: A negotiated agreement between the defense and the prosecution in which the juvenile admits involvement in an illegal act. If a plea agreement is not reached, the case will be decided by a trial.

Pretrial: The time between the initial hearing and the adjudication hearing.

Probable Cause: The amount of proof necessary for a judge to decide that a crime was committed and that there is a reasonable basis to believe that the juvenile charged was involved in that crime.

Probation: The period of supervision in the community of a juvenile who has been found guilty of a crime. The juvenile is allowed freedom but must conduct himself/herself in a manner approved by the court and under supervision by Court Social Services.

Prosecutor: An attorney employed by the government. In juvenile court this is the Assistant DC Attorney General; in adult criminal court this is the Assistant United States Attorney.

Public Defender: An attorney employed by the government to represent a defendant (or juvenile respondent) who cannot afford to pay for a lawyer.

Rehabilitation: Restoring a person to physical, mental, and moral health through treatment and training. A public policy goal of the juvenile justice system is to rehabilitate, rather than punish, juveniles who are found to be involved in delinquent acts or status offenses.

Respondent: The person who is charged with a delinquent offense in a juvenile justice case; called the defendant in an adult criminal case.

Restitution: Giving back to the rightful owner something that has been taken from him or her, or reimbursing that owner for loss or damage.

Risk Assessment Instrument: An instrument designed to assess the youth's and family's social service strengths and needs. The risk assessment score is used to make an informed decision about whether to detain or release the juvenile pending his/her trial date.

Sealing a Record: Under DC law, a person with a juvenile arrest, prosecution, or court record has the right to ask the Family Court to seal or close that record two years after the end date of his or her probation period or custody of the Department of Youth Rehabilitation Services, as long as he or she has not committed another offense in that timeframe. Once a record is sealed, anyone who asks about the record is told that it doesn't exist. Sealed records can later be unsealed or reopened.

Sentence: See *Disposition*.

Status Hearing: Occurring after the initial hearing, the status hearing is used to review the pretrial placement decision, set a trial date, and resolve other pending issues.

Status Offender: A juvenile who is charged with committing offenses that would not be criminal if done by an adult (such as truancy, underage possession of alcohol, curfew violations, running away from home). See also *Person in Need of Supervision (PINS)*.

Transfer: A situation where the justice system decides that a youth's criminal charges should be handled in adult criminal court. This only occurs in very serious cases.

Trial: See *Adjudication Hearing*.

Verdict: The decision of the judge at the end of a trial that the juvenile is either not guilty or guilty of the charges. In juvenile cases the decision rendered will be *Involved* or *Not Involved*.

Warrant: An order authorizing or directing a law enforcer to do something, such as search a home or make an arrest.

Witness: A person who is called to testify to what he or she has seen, heard, or knows about the facts in a case.

Youthful Offender: A juvenile who is being tried in adult criminal court.

notes

glossary





addresses &
numbers

8.



Important Addresses and Phone Numbers

Metropolitan Police Department (MPD) Youth Division

1700 Rhode Island Avenue, NE
Washington, DC 20018
Phone: 202-576-6768

MPD Juvenile Processing Center at the Youth Services Center (YSC)

1000 Mt. Olivet Road, NE
Washington, DC 20002
Phone: 202-576-9222

DC Superior Court Family Court

500 Indiana Avenue, NW
Washington, DC 20001
Phone: 202-879-1010

Family Court Central Intake Center

John Marshall Level, East Wing
Phone: 202-879-1225

Family Court Juvenile and Neglect Branch

Fourth Floor, Room 4310
Phone: 202-879-1465

Family Court Juvenile Drug Court

409 E Street, NW, Room 205
Phone: 202-508-1894

ALSO LOCATED AT THE SUPERIOR COURT:

Mayor's Services Liaison Office (including Parent Watch)

John Marshall Level, Room JM185
Phone: 202-879-0059

PDS Defender Services Office

500 Indiana Avenue, NW, C Level
Phone: 202-824-2830

Court Social Services (CSS)

Division of the DC Superior Court Family Court

Court Building B
510 4th Street, NW, Third Floor
Washington, DC 20001
Phone: 202-508-1800

Night and Intake Unit at the Youth Services Center (YSC)

1000 Mt. Olivet Road, NE
Washington, DC 20002
Phone: 202-576-5171

FIELD LOCATIONS:

Northeast Field Unit

401 New York Avenue, NE
Washington, DC 20002
Phone: 202-675-9177

Northwest Field Unit

1724 Kalorama Road, NW
Washington, DC 20009
Phone: 202-328-4402

Southeast Field Unit

2200 Martin Luther King Ave., SE
Washington, DC 20020
Phone: 202-508-8261

**Department of Youth
Rehabilitation Services (DYRS)**

Youth Services Center (YSC)

1000 Mt. Olivet Road, NE
Washington, DC 20002
Phone: 202-576-8175

ALSO LOCATED AT YSC:

MPD Juvenile Processing Center

Phone: 202-576-9222

Court Social Services (CSS)

Night and Intake Unit

Phone: 202-576-5171

DYRS Juvenile Detention Facility

Phone: 202-576-5178; for visiting
hours, call the same number

Parent Watch

Phone: 202-576-8386

**DYRS New Beginnings Youth
Development Center**

8400 River Road
Laurel, MD 20724
Phone: 202-299-3100

**Public Defender Service (PDS) for
the District of Columbia**

633 Indiana Avenue, NW
Washington, DC 20001
Phone: 202-628-1200

**PDS Defender Services Office (at
the DC Superior Court)**

500 Indiana Avenue, NW, C Level
Washington, DC 20001
Phone: 202-824-2830

DC Attorney General's Office

441 4th Street, NW
Washington, DC 20001
Phone: 202-727-3400

Juvenile Section

Phone: 202-727-5523

**Neighborhood and Victim
Services Section**

Phone: 202-727-3500

DC Public Schools

825 N. Capitol Street, NE
Washington, DC 20002
Phone: 202-442-5885

Parent Resource Centers

Phone: 202-442-5036

**Student Intervention and
School Support**

Phone: 202-442-5099

Parent Rights can be found online:

[http://www.k12.dc.us/parents/
parentsright.htm](http://www.k12.dc.us/parents/parentsright.htm)

**Student Rights and Responsibilities
can be found online:**

[http://www.k12.dc.us/about/
policy.htm](http://www.k12.dc.us/about/policy.htm)

**Directory of Central Office and
School Phone Numbers can be
found online:**

<http://www.k12.dc.us>



addresses & numbers



addresses & numbers



Council for Court Excellence

The Council for Court Excellence is a nonprofit, nonpartisan, civic organization founded in 1982 that works in a variety of ways to improve the administration of justice in the local and federal courts and all related agencies in Washington, DC. The Council accomplishes its mission by:

- Identifying and promoting justice system reforms,
- Improving public access to justice, and
- Increasing public understanding and support of our justice system.

The Council is governed by a large volunteer Board of Directors composed of members of the legal, business, civic, and judicial communities. In December 2006, the Council's Board set the following major program priorities for the 2007-2011 period:

- Juvenile Justice,
- Criminal Justice,
- Business and the Courts, and
- Court Efficiencies and Effectiveness



Council for Court Excellence

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