



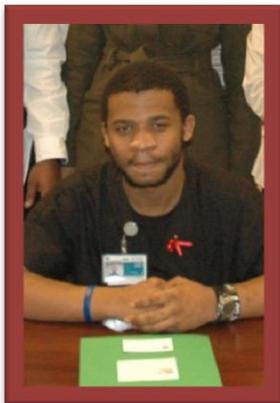
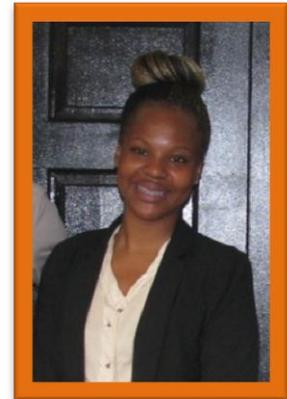
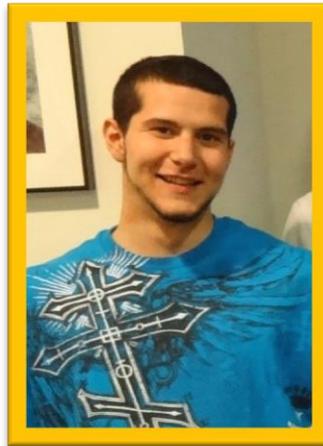
Juveniles
for Justice
a project of Juvenile Law Center

Youth Guide to the Juvenile Court System

An Information and Advocacy Guide

For Youth in the Philadelphia Juvenile Justice System

By Youth who have been in the Juvenile Justice System



This Guide belongs to: _____

Introduction

This guide was created by youth in Philadelphia with experience in the juvenile justice system. We believe this information could have helped us understand the system and we hope it can help you. It explains some of the difficult terms you may hear during your court process and gives you a look of what the average process is like. It is in no way a replacement or substitute for talking with your lawyer.



This guide was created by members of the 2012-2013 Juveniles for Justice program:

Frank C., Tae-Quan D., Marcus J., Crystal P., Shyara H., and Jeremy H.

Juveniles for Justice is a youth engagement program of the Juvenile Law Center. This program involves youth who are or have been in the juvenile justice system. By using their personal experiences to bring to light to the juvenile justice system's strengths and weaknesses, the youth of Juveniles for Justice develop a campaign to better the system for those who are currently in the system or maybe in the future. Juvenile Law Center has learned that an important way of helping youth in the system is to learn from the youth who have been in the system. Juveniles for Justice would like to thank the Philadelphia Department of Human Services for publishing this guide, and for their continued support of Juvenile Law Center's youth engagement programs.

If you have any questions about this guide of Juveniles for Justice, you can contact Juvenile Law Center at 215-625-0551 or email juveniles4justice@jlc.org.



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Know Your Rights!

YOU HAVE THE RIGHT...

- **To a lawyer.** This will typically be an attorney from the public defender's office. It could also be a court-appointed attorney or you can hire a private lawyer.
- **To remain silent.** No one can force you to testify in court or to answer questions about your case outside of court. If the police ask you questions, you can remain silent. The only person you should discuss your case with is YOUR LAWYER.
- **To notice of the charges against you.** This means that the District Attorney has to tell you all of the crimes you are being charged with and give you the opportunity to defend yourself against those charges.
- **To confront and cross-examine witnesses.** This means that you can't be convicted of a crime based on evidence that was not provided in court. If someone says that you committed the crime, you must be given the opportunity for your lawyer to ask that person questions in front of the judge to try to prove that they are not a reliable witness. You should NOT discuss your case with anyone else—not with your friends and not with anyone else who might be held in custody with you.

Who Is My Lawyer?

- You may have a public defender (a lawyer who work at the Defender Association) or a court-appointed lawyer (who does not work at the Defender Association).
- If you do not know who your attorney is, you can call the Defender Association of Philadelphia at **215-568-3190**. Ask to speak to someone in the Juvenile Unit. If possible, know your court date and court room before you call. If you have a public defender attorney, you should visit 1441 Sansom St. to meet with an attorney on weekdays (except holidays) between 9:30 a.m. to 4:00 p.m.
- When you know who your lawyer is, write it down on the next page!

Words and Terms You Should Know

The juvenile justice system can be confusing, especially if you do not know the terms that lawyers, judges, and probation officers are using. Here are definitions to some of the words you might hear in court. If you are ever confused about what is happening in court, ask your lawyer to explain it to you. This is one of your lawyer's basic responsibilities to you.

Adjudicated Delinquent: When a judge decides that a youth has committed a delinquent act (i.e. a crime) **AND** that the youth is in need of treatment, supervision or rehabilitation. This is the legal term that means you now have a record.

Adjudicatory Hearing: A hearing where the youth pleads not guilty and the judge hears from witnesses and decides whether the youth is guilty of a crime or not (a.k.a. trial).

Admission: When a juvenile formally admits to committing the crime in court (a.k.a. **guilty plea**).

Consent Decree: Before a youth has been **adjudicated delinquent**, a court may suspend the process and order that the youth meet certain conditions, which could include school attendance, community service, an advocate program, or paying **restitution**. Consent decrees last 6 months and can be extended in some cases. Once the youth has completed the terms of the consent decree, the charges are dismissed. The youth is eligible to have his or her arrest record expunged six months after the charges are dismissed.

Court-Appointed Lawyer: The **public defender's office** (see below) cannot represent all juveniles charged with crimes in Philadelphia. In some cases, the court must appoint a private lawyer who does not work at the Defender Association. It is important to know whether you have an attorney from the Defender Association or a court-appointed attorney.

Deferred Adjudication: If the judge finds that the youth is guilty of committing the crime but is not in need of treatment, supervision or rehabilitation, the judge can put the youth on probation for a set period of time. This type of probation typically lasts 60 days but could be longer. Once the time is up the judge can dismiss the case if the youth has done well. If the youth does not comply with probation, the judge can and almost certainly will **adjudicate** the youth **delinquent** and keep the youth on probation or send the youth to a placement.

EDUCATING YOURSELF IS IMPORTANT: ADVICE FROM A YOUTH

*"Education was my guide in the juvenile justice system. In order to prepare myself mentally and emotionally, I became active. I began to read and ask questions about the system. This awareness made me feel empowered. **With the right guidance and information, I knew how to navigate through the system appropriately.** I knew how to use the support I was given to my advantage. That advantage led to my discharge and the successful life I am living today." -Crystal P.*

Denial: When a juvenile tells the judge that he/she did not commit the crime. This might be done by **pleading not guilty** to the charges. The judge decides what should happen to a youth before his/her next court date. The youth can be released to his/her parent or guardian, held in secure detention (i.e. the Juvenile Justice Services Center), or sent home with some type of court supervision (in-home detention, community-based detention services, electronic monitoring, etc.).

Disposition: If you are **adjudicated delinquent**, the judge will decide what sort of treatment, supervision or rehabilitation you need. This could include probation, outpatient treatment, placement in a secure facility, or placement in a non-secure residential program that allows you to attend school outside the facility & receive periodic home passes.

District Attorney (DA): The lawyer who represents the government in court in a juvenile justice case. The DA tries to prove that the juvenile committed the crime and that the juvenile needs treatment so that the juvenile doesn't commit another crime in the future. The DA is also called the "prosecutor."

Diversions: When a youth has an opportunity to avoid going to trial and being adjudicated delinquent and instead can resolve his/her case by meeting certain conditions set by the court. This could involve a curfew, attending school on time, community service or participation in a program. If the youth fails to comply with the conditions his/her case could start up again and continue on the path to trial.

Felony: A legal term used to define the most serious crimes.

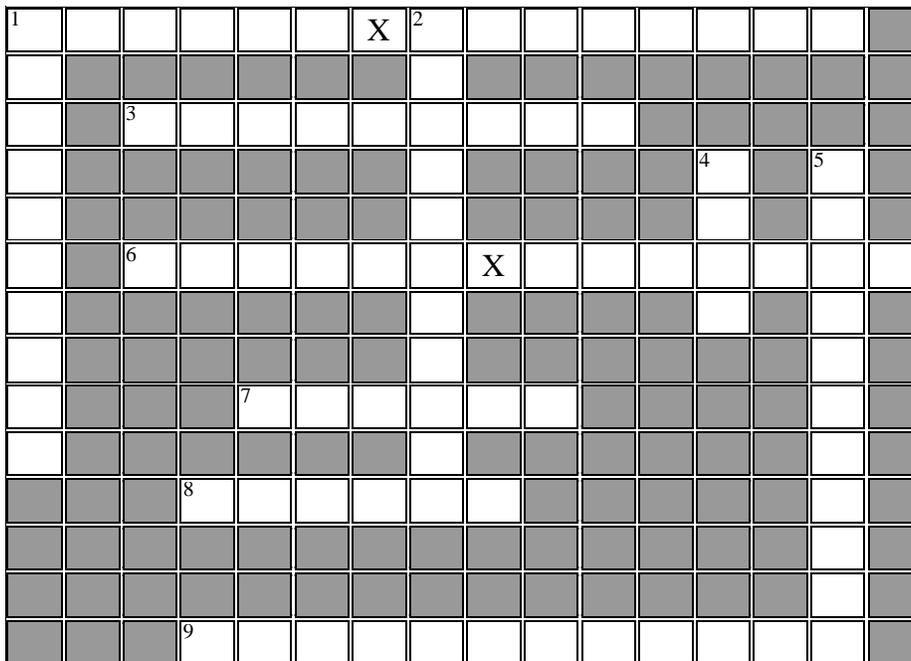
Hearing: A hearing is when a judge or master listens to your case and makes decisions about what to do. There are different types of hearings, including detention, adjudicatory, dispositional, and review.

Placement: The juvenile court may place a juvenile who is **adjudicated delinquent** in a facility outside of home (such as a residential treatment facility or other delinquency placement facility). If a child is placed outside the home, the court must hold a review **hearing** every 6 months.

Public Defender/Lawyer: The lawyer who is appointed to represent the juvenile might be an attorney from the public defender's office, or might be a private lawyer appointed by the court to represent the juvenile free of charge. In Philadelphia, public defenders work at an agency called the Defender Association. Your lawyer is your advisor and your advocate. It is the duty of the juvenile lawyer to advocate for the juvenile—for what the juvenile wants, not what the lawyer wants. Your lawyer works for you, not for the court or your parents. Anything you tell your lawyer is private and they cannot tell anyone without your permission, including your parents.

Restitution: When a juvenile pays money to the victim for financial losses from the crime. The judge should consider how much you can reasonably earn when ordering restitution. If you do not pay restitution, you may have to remain on juvenile probation.

Test Your Knowledge



Note: "X" in this crossword acts as a space between words.

ACROSS

1. A type of lawyer that might be appointed by the judge to represent the juvenile in a juvenile justice case. This lawyer works at the Defender Association.
3. When a juvenile is placed in a program instead of being prosecuted in court.
6. Something that is illegal for a minor to do, but not an adult, such as truancy or violating curfew.
7. When a juvenile says he or she did not commit the crime.
8. A crime that is more serious than a misdemeanor.
9. When a judge finds that the youth committed a crime and is in need of treatment, rehabilitation, and supervision.

DOWN

1. The lawyer who represents the government in court in a juvenile justice case.
2. A juvenile's "sentence" from committing a crime.
4. When a juvenile formally tells the judge that s/he admits to the crime (also known as admission) or denies the crime and asks for a trial.
5. When a juvenile pays money to the victim for any financial losses from the crime.

Words in Crossword:

- Public Defender
- Prosecutor
- Disposition
- Diversion
- Status Offense
- Felony
- Restitution
- Adjudication
- Denial
- Plea

What to Know If You Are in Detention

Can I speak with a lawyer? You have the right to a lawyer. If you cannot afford a private lawyer, you will be represented by a lawyer paid for by the state, often a public defender. If anyone tries to ask you questions about your case without your lawyer present, you SHOULD NOT answer them. You should tell the person that you don't feel comfortable answering questions and that you want to have your lawyer there if you are going to talk about your case. Don't talk about your case with anyone other than your lawyer, including other youth who are in detention with you. You might not meet your lawyer until your detention hearing.

What should I do if I have a problem with my lawyer? If you have a problem with your public defender lawyer, or don't know your public defender lawyer's name, you can contact his or her supervisor by calling 215-568-3190 and asking to speak to someone in the Juvenile Unit. If you get your lawyer's voicemail, be sure to leave a message and your phone number so they know that you called.

If you have a problem with a court-appointed private lawyer, that lawyer may not have a supervisor that you can talk to. You should speak with the lawyer himself/herself, or respectfully (and preferably before your hearing) with the judge, or with the disciplinary board for attorneys.

Why am I in detention? There are a number of reasons why you may be in detention:

- The police believe that you may have committed a crime.
- You may be waiting for a detention, adjudicatory, or disposition hearing. While you are waiting for court, a judge may feel that you are a risk to yourself or your community and may have chosen to hold you in detention. The judge may also think that you might not show up for your next court date.
- You may also be waiting to be transferred to a juvenile placement.

How long will I be in detention? It depends. You must have your detention hearing within 3 days after you are brought to detention. You must have your adjudicatory hearing (a.k.a. "fact-finding" or "trial") in 10 days, unless your lawyer or the District Attorney needs more time to support their case. If either side needs more time for the case, your hearing may be continued for another 10 days. You may also be held in detention for other reasons, and it is best to ask your attorney when you can expect to leave detention.

Can I see my family? Yes, however the facility will set the time, date, and place of the visit. You may not be allowed to have physical contact with your family during this visit.

Tips from Youth about Detention

Although you're in detention you can still learn something new every day. Those who make the most of what they have usually end up having the most. Make a plan for when you get out of detention, a realistic plan that includes education, employment, and housing. —Marcus J.



Being in detention is not easy because you're around people who may not have the best interest in heart for you. Staying focused on doing good is very critical. Find something positive to do that will keep you occupied leaving no room for mischief. For example, take up community service opportunities. Follow the rules of the place you are being held. Believe it or not your behavior is being monitored. Everything you do will be reported and matters. It is in your best interest to have a good report when going to court. A good report shows you are making progress and are less of a danger to your community and yourself. A good report also makes it more likely for people to want to help you more. —Crystal P.



I was 16 years old when I went to detention for the first time. I was very afraid because of the horrible stories I was told about detention. Looking back I would have paid attention to what I was told by the employees there. This is your time to plan a speech and prepare for court. Maybe then the judge would have heard my side of the story. There's always two sides to a story and they both need to be heard.

—Shyara H.



How to Prepare for Court

Before your adjudicatory hearing you will have the opportunity to speak with your lawyer about your case. If you are in detention, the lawyer will come to interview you at the Juvenile Justice Services Center (formerly known as the Youth Study Center) or at the courthouse. If you are not in detention you will likely meet with your lawyer at his/her office. You should be sure to call your lawyer right away to set a time to meet with him/her. That interview is your opportunity to share your version of the story with your lawyer. It is important to share every detail of your story with your lawyer, so that he/she can help you put together the best defense possible. Your conversation with your lawyer is confidential, meaning he/she is not allowed to share what you have told him/her with anyone, including even your parent, without your permission. You should be sure to discuss the following things:

- Names and contact information of any witnesses to the event or to your arrest
- Any mental health issues you have or have had in the past and important events in your life
- The details of your arrest and interactions with the police
- The strategy for handling your case
- What to expect when you go to court

Before I went to court, I would make sure all my probation and school information were up to date and accurate. I also made sure my lawyer and I were on the same page. I made sure I had someone else on my side there (like family or someone close to me). I would dress properly, even when I came from placement (button up shirt, school pants, and nice looking shoes). -Tae Quan D.



Ask your lawyer about what you need to say and how to behave in court. Different judges run their courtrooms differently. Sometimes your lawyer might want you to speak directly to the judge, but sometimes it is a better idea for your lawyer to do all the talking. It is helpful to be on the same page with your lawyer and probation officer to avoid confusion with your case within court. -Crystal P.



What Happens in Court

Who is going to be at court? Different people have different responsibilities or roles in your case. The people involved in your case may be the judge, the hearing master, the district attorney or prosecutor, and your lawyer or Public Defender.

Other people may include: your juvenile probation officer, a representative from DHS, a representative from the school district, the victim, witnesses, and your family.

Am I allowed to talk to the judge? You have a right to speak with the judge. It is in your best interest to discuss this option with your lawyer. Sometimes talking to the judge may be hurtful or harmful to your case. You should always know what you are going to say and be on the same page as your attorney if you plan to speak to the judge. When you talk to your lawyer before court, you should tell him/her what you want to say and ask him/her what you should say to the judge to help your case.

How should I prepare for court? To make sure you are prepared for court you need to mentally and emotionally prepare yourself by speaking with your attorney before court about what the plan for court is. Be prepared to speak if needed. Follow all the terms of your probation (for example, keeping your curfew, attending school on time, having clean drug tests, etc.). You can also work with your lawyer to find people who can speak about you positively in court. You should always show up for court. Dress professionally, as if you were going to church or to some formal occasion. Don't chew gum, don't wear a hat. Do everything you can to make a good impression. Judges can and do make snap decisions based upon how you dress and behave. If you have witnesses to speak on your behalf, bring them to court with you if possible to make sure they are there.

In court, make sure you sit up and look at the judge. You should do this because it shows that you care about what happens next. If the judge looks at you and you are not sitting up and paying attention, the judge will treat you like you don't care.

-Tae Quan D.



Your court date is something to take seriously. Pay close attention to what is going on around you. If you don't understand something try to have it explained better. If you feel like your testimony will make a difference in your case make sure to stress that point to your lawyer.

-Marcus J.



It is always best to have a plan when you go to court. And by having a plan, I mean if the court was to release you at this very moment what might you have done differently to avoid coming back into detention? That's a question you have to ask yourself before court. -Jeremy H.



What If You Are “Adjudicated Delinquent”?

What does it mean to be “adjudicated delinquent”? If the judge finds that you committed the offense, the judge will next determine if you are in need of treatment, rehabilitation, and supervision. If so, the judge will adjudicate you delinquent.

What happens after I am adjudicated delinquent? If the judge adjudicates you delinquent, the judge will then hold a disposition hearing (where you receive your disposition, or sentence), either immediately or at a later date. It is like a sentencing hearing in the adult system. The judge must decide what treatment, supervision, or rehabilitation you might need.

In the disposition hearing, the judge will hear the District Attorney’s and the probation officer’s report and recommendations. You and/or your attorney also can speak. You may also undergo drug and alcohol evaluations or mental health evaluations before your disposition (your sentence), and reports from those evaluations may be included in the probation report.

If the judge tells you that you are **adjudicated delinquent** that means the judge found you in need of treatment, rehabilitation, and supervision, and that you now have a record. Make sure you understand those terms. If you go to court and do not know what it means and smile when they say you are adjudicated, they will think you don’t care about your mistakes. –Frank C.



What are some of the possible dispositions I could have?

- **Probation:** This allows you to return to the community, but imposes rules and conditions that you must follow.
 - These conditions could include: curfews, mandatory school attendance, restrictions on where you may go or who you can hang out with, apology letters, victim awareness classes, advocate programs, parenting classes, drug and alcohol testing, attendance at reporting centers, counseling, tutoring, mentoring, or mental health treatment.
- **Community Service:** Sometimes the court will require you to volunteer to help out the community as part of your disposition. This may be a condition of probation.
- **Restitution:** The court may order you to pay the victim(s) for his or her losses (for example, if the victim had to pay to repair or replace his or her property). The judge must consider the amount you can reasonably earn.
- **Participation in court-ordered services:** The judge may also order you to participate in a variety of services. These may include family counseling, individual counseling, drug treatment, or parenting classes.
- **Placement:** The juvenile court may place you in a facility outside of your home (such as a residential treatment facility, foster care, or a group home). If you are placed outside the home, the court must hold a review hearing every 6 months.

Note: You can be guilty or admit your guilt yet still might not be “adjudicated delinquent.”

Question your lawyer closely about whether this might be possible in your case. See the definition for “deferred adjudication” on page 3 of this guide.

I was placed on probation, had to change schools, and was given a curfew. I was given a court date where the judge would check up on my behavior. Normally, if your grades are good and behavior is good at home and school, your probation will end when it's supposed to. If you're not doing well, they might give you extra services, extend your probation, or even send you to placement. -Tae Quan D.



Consequences of a Juvenile Record

What are some of the consequences of having a juvenile record? You may not be eligible for certain jobs, the military, colleges, permits, or allowed to travel to certain places due to your juvenile record. You may have to register as a sex offender if your crime involves sexual assault. Your juvenile record will also work against you if you are ever arrested again. You should speak to your lawyer to learn more about these possible consequences or ask for a copy of **The Pennsylvania Juvenile Collateral Consequences Checklist** which is available at:

<http://www.pajuvdefenders.org/file/pa-juvenile-checklist.pdf>

Some charges may affect you further in life in terms of jobs or certain permits. Your juvenile record can be a negative part of your life that cuts out certain opportunities. It is best to attempt to have your record expunged. –Marcus J.



YOUR JUVENILE RECORD DOES NOT AUTOMATICALLY GO AWAY

How can I get rid of my record? After being discharged from the juvenile justice system, you may be eligible for an expungement (having your record erased or destroyed).

Your record is never automatically sealed or erased. For your record to be expunged, contact the Public Defender's office (see page 13). They can file a motion for expungement if the timing is right in your case. It is important NOT to be arrested again if you want to have the best chance at getting your record expunged.

FOR MORE INFORMATION ON EXPUNGEMENT, check out Juvenile Law Center's publication, **Juvenile Records: A Know Your Rights Guide for Youth in Pennsylvania** available at:

<http://www.jlc.org/resources/publications/juvenile-records-know-your-rights-guide-youth-pennsylvania>

If you have a juvenile record, you can't get certain jobs or opportunities. When I was adjudicated, I wasn't allowed to be around kids younger than me. If I wanted to see my little brother the visits had to be supervised. So some of the things I enjoyed and used to doing were taken away from me by being adjudicated. –Tae Quan D.



Calendar

Use this calendar to keep track of appointments and court dates. It is very important that you show up for all appointments, court-ordered services, and court hearings.

(Month)

Sunday Monday Tuesday Wednesday Thursday Friday Saturday

List of Resources

Type of Resource	Name of Resource	Description of Resource	Phone number	Address in Philly or Website
Legal/ Court Resources	Defender Association of Philadelphia	Public Defender's Office	215-568-3190	1441 Sansom St.
	Family Court	Information for Juvenile Branch and Juvenile Probation	215-686-4000	1801 Vine Street
	Juvenile Justice Services Center	Detention center for young people	215-686-4800	91 N. 48 th St.
	Juvenile Law Center	Information for questions about the juvenile justice system	215-625-0551	1315 Walnut St.
	Philadelphia Commission on Human Relations	You can submit a complaint to this commission if you feel like you have been discriminated against during your time in the juvenile justice system	215-686-4670	601 Walnut S., Suite 300
Education Resources	School District of Philadelphia Re-Engagement Center	Center to help 16-21 year olds reenroll in diploma or GED programs	215-400-6700	440 N. Broad St., Suite 1013
	E3 Power Program	Helps out of school youth with job skills, job finding, mentoring, college readiness, community service, GED, tutoring, and support groups.	Girard Center 215-763-8870 ext.7260	2800 N. American St.
			North Center 215-763-2393	1231 N. Broad St., 5 th Floor
			West Center 215-387-2134	4111 Lancaster Ave.
			Olney/Logan Center 215-455-5860	5201 Old York Rd., Ground Floor
			Southwest Center 267-299-2500	5407-09 Grays Ave.
	LEAP Program	After school program in libraries that offers help with computers, tutoring, and library skills for young people in grades 1-12	215-686-5372 or 215-686-5374	1901 Vine Street

Education Resources (cont'd)	YouthBuild Philly	School that helps young people who have dropped out graduate with high school diploma	215-627-8671	youthbuildphilly.org
	Philadelphia Gateway to College	Program that helps youth who have dropped out of high school earn a high school diploma and college credits	215-751-8540	ccp.edu/site/gateway/
	Education Law Center	Helps make better public education possible for vulnerable youth in PA	215-238-6970	www.elc-pa.org
Career Resources	PYN WorkReady	Helps youth ages 14-21 get job skills and job placements.	267-502-3742	http://www.mypyn.org/workready.php
	Youth Empowerment Services (YESPhilly)	This program combines media and art with counseling, GED prep classes, and job-readiness training.	215-769-0340	http://yesphilly.org/ 1231 N Broad Street, 2nd Fl.
Coping Resources	Suicide & Crisis Intervention	24 Hour Hotline for those in crisis.	215-686-4420	
	The Center for Grieving Children	Support for those grieving the death of a loved one.	215-744-4025	1139 East Luzerne St. grievingchildren.org
	Covenant House	This is a crisis center and shelter for youth who are experiencing homelessness	215-951-5411	31 E. Armat St.
	Community Behavioral Health	Drug & alcohol abuse services, counseling, & mental health programs	888-545-2600 or 215-413-3240	801 Market Street 7 th floor Philadelphia, Pa
	Gaudenzia Outreach	Residential/outpatient programs for youth with substance abuse issues	215-238-2150	Gaudenzia.org/get_help
General Information	Philly 311	Service Information for the City of Philadelphia	3-1-1 215-686-8686	

