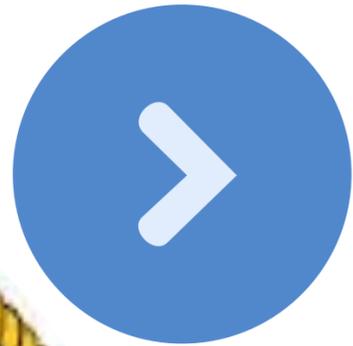


JUVENILE COURT INFORMATION

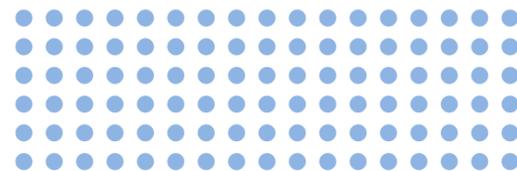
**Basics of Juvenile
Delinquency and Child
Protection Courts**





Introduction

This slide deck is designed to provide basic information and plain language definitions of the juvenile justice system here in Winnebago County. Any specific questions can be referred to your attorney, the Court or the Circuit Clerk's office.



Plain Language Definitions: Juvenile Delinquency

- **Adjudication**: A formal court decision in a case. It's like a conviction, or found guilty, in an adult case
- **Arraignment**: The first time a person goes to court after being charged with a crime. The judge will tell them what they are accused of, possible penalties and get information about the minor
- **Trial**: A trial takes place in front of the Judge if a youth denies charges against him/her, or if the Court does not accept an admission or plea



Plain Language Definitions: Juvenile Delinquency

- **Court order**: A formal decision or requirement set by the Court. Consequences can occur if not followed.
- **Dismissal**: When the charges filed against a person have been dropped or ended without being on the minor's record
- **Deferred Prosecution**: A program that youth may be able to participate in where charges will be dismissed if the program is completed successfully
- **Detention**: Referred to as the Juvenile Detention Center in Winnebago County. It is a locked facility that provides temporary housing for minors alleged of violating the law, or an adjudicated delinquent. General purpose of detention is protection of the minor and the community (also called JDC)



Plain Language Definitions: Juvenile Delinquency

- **Detention Hearing**: After a youth is arrested and placed in the Juvenile Detention Center, the youth will come to court within 40 business hours for a hearing. At that hearing the Court will determine whether the minor should remain in detention or be sent home
- **Disposition**: The final decision or outcome
- **Expungement**: Erase or remove a criminal record
- **Hearing**: When a minor comes before the judge and the judge listens to the case to make a decision. There are different types of hearings, including detention, adjudication and review

Plain Language Definitions: Juvenile Delinquency

● Extended Juvenile Jurisdiction Designation (EJJ):

A juvenile court sentence that is given to a minor, but also includes an adult sentence that is put on hold. If the minor follows the rules and successfully completes the juvenile sentence, the adult sentence is vacated or erased. However, if the minor breaks the rules, or commits another crime, the minor will have to serve the adult sentence

● Illinois Department of Juvenile Justice (IDJJ):

This is one of the placement options for a Disposition Hearing. It is the most severe consequence offered in the juvenile system. It is a locked facility where the minor lives and attends school, until IDJJ releases them at their discretion.

Plain Language Definitions: Juvenile Delinquency

- **Indeterminant Sentence:** A minor sentenced to IDJJ has no end date. The judge cannot decide how long the sentence is, it is determined by IDJJ
- **Delinquency Petition:** A document that lists the alleged offenses committed by a youth. Usually filed by the State's Attorney
- **Petition to Revoke:** A document that can be filed if a minor does not follow the rules of their sentence or supervision. The minor could be resentenced like the case was brand new, starting a new sentence



Plain Language Definitions: Juvenile Delinquency

- **Probation/Supervision**: An outcome where the minor stays in the community and has to follow a set of rules. A **probation officer** monitors the youth placed on probation and provides support to address areas that may lead to future behavior problems
- **Remand**: The judge orders the minor to go back to Juvenile Detention while waiting for the next step in their case, usually because the minor isn't following rules
- **Review hearing**: A court hearing where the judge checks on the progress of a case. Also called a status hearing
- **Revocation**: Taking away a sentence because the minor did not follow the rules. See Petition to Revoke.

Plain Language Definitions: Juvenile Delinquency

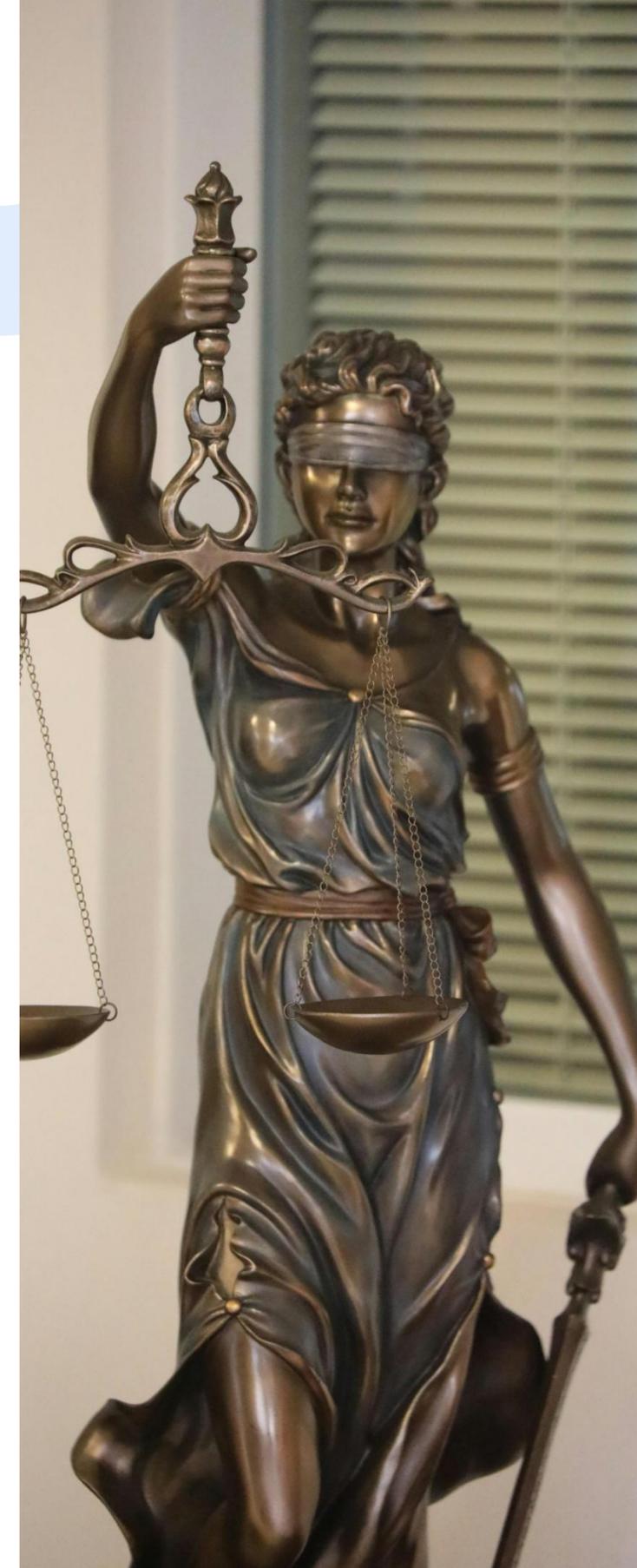
- **Sentencing (Disposition hearing)**: The final decision of how a minor's case is going to be resolved
- **Ward of the Court**: When the court is appointed as the guardian of a minor, allowing decisions about the care to be made by the Court instead of parents
- **Social History Investigation**: The Court may order a report called a social history. The investigation is the process where the minor and his/her parents/guardians are required to cooperate with an interview with a probation officer, who writes a report, to provide background information so that services can be recommended for the minor and his/her family

Who works in Juvenile Delinquency Court?

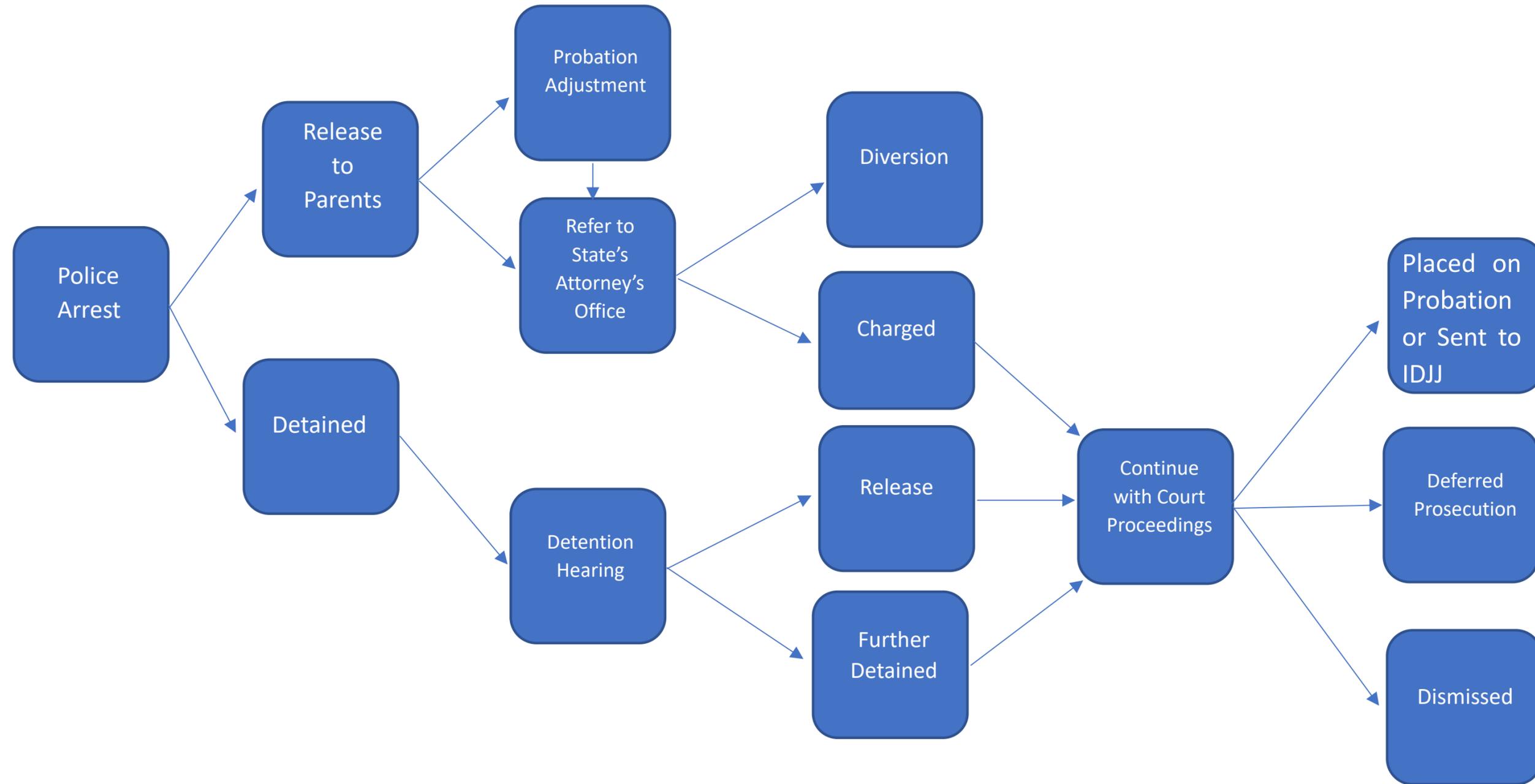


- Judge**
The Judge listens to all of the information shared by the lawyers and makes decisions
- Public Defender**
The Public Defender is an attorney appointed to represent minors in court
- Courtroom Clerk**
The person who calls the cases and schedules next court dates
- Probation Officer**
Helps the court by monitoring minors placed on probation and provides support to address behaviors and problems

- Assistant State's Attorney (ASA)**
The ASA is an attorney who represents the state. They file petitions that list the alleged violations
- Court Reporter**
The person who types a word for word record of what was said in court
- Bailiff**
A sheriff's deputy who watches the courtroom to help with safety



What Happens when a Youth is Arrested?



Probation Adjustment- Meeting with probation officer, parent and youth to assess how the youth is doing at home, school and in the community. Resources are available to the youth and family.

Diversion: An alternative to formal prosecution for the arrest. Requires completion of some type of community service or programming.

Deferred Prosecution: A program the youth may participate in and the charges will be dismissed if they complete the program successfully.

Do not be afraid to ask questions!

The court process can take a long time and it may be confusing because of new words and processes. There may be terms used that you have never heard before.

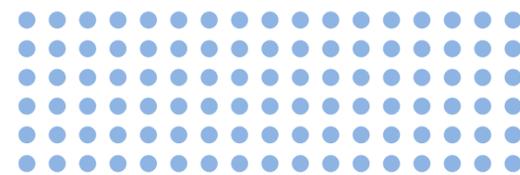
It is important that you understand what is happening and how it will affect your family. The people who work in the court are there to help. You can ask them questions and they will support you and your family through this process. At the beginning of your case, you should give your caseworker information on who you would like to have care for your child if they are not with you. You will need to give the caseworker specific names and contact information for those people.

If you have any questions at any point, please do not hesitate to ask.



Introduction

This next portion will provide basic information and plain language definitions of the juvenile justice system here in Winnebago County for Child Protection Court. Any specific questions can be referred to your attorney, the Court or the Circuit Clerk's office.



Plain Language Definitions: Child Protection Court

- **Adjudication**: A hearing where the judge decides whether a child was abused, neglected or dependent
- **Dismissal/Discharge**: When the court decides to close a case
- **Order of Protection (OP)**: A court order that lists certain rules that have to be followed for the child to stay in the home with the parent
- **Dispositional Hearing**: A hearing to determine if a parent is fit, willing and able to properly parent a child. >>>>>
 - Being ***fit*** means you have ability to complete the services you have ordered to complete
 - Being ***able*** means you have the skills to care for and appropriately discipline your children
 - Being ***willing*** means you are motivated to have your children returned to your care

Plain Language Definitions: Child Protection Court

- **Petition**: A legal document explaining how a child has been harmed, is neglected, or is dependant
- **Ward of the Court**: Allows the court to make decisions regarding a minor
- **Permanency Reviews**: A hearing to determine if you have made reasonable efforts and reasonable progress toward achieving fitness. The Court will also review the efforts of DCFS, if your service plan meets the needs of your family, and the placement of your children. During this process, the Court will review the goals set for each child. If you have questions about what reasonable efforts or progress means, please speak with your attorney.



Plain Language Definitions: Child Protection Court

- **Reviews**: When your children are in your care, you may have court dates for reviews. A review is a court proceeding that allows the court to check in on progress made and the status of services recommended.

- **Shelter Care**: A hearing where the Judge decides if:
 - There is evidence that suggests the suspected abuse or neglect happened
 - There was an emergency reason to take protective custody of the children
 - Other options were explored to avoid the children having to be removed from your care

Permanency Outcomes:

- **Return Home**: The ideal outcome, where the child returns to live with their parents
- **Guardianship**: Guardians that are appointed by the court and provide day-to-day care for the child. The biological parents have the option to go back to court to get guardianship removed.
- **Petition to Terminate Parental Rights**: The court must decide two things - whether the parent is unfit and if so, whether it is in the child's best interest to terminate parental rights. If your parental rights are terminated, the legal relationship between you and your child will end and the child will be available for adoption.

Permanency Outcomes:



- **Adoption**: If parental rights are terminated, or consent granted, the adoptive parents become the legal parents of the child.
- **Independence**: A child, age 15 or older, may stay in a temporary setting until they are able to live on their own independently.
- **Cannot be Provided for in Home Environment**: Children that are unable to be placed in a home environment due to safety concerns or mental, physical or developmental disabilities.
- **Continuing Foster Care**: All other permanency goals are found inappropriate and compelling reasons exist to continue a child's placement in foster care.



Who works in Child Protection Court?



> Judge

The Judge listens to all of the information shared by the lawyers and makes decisions

> Public Defender

The Public Defender is an attorney appointed to represent parents in court

> Courtroom Clerk

The person who calls the cases and schedules next court dates

> Bailiff

A sheriff's deputy who watches the courtroom to help with safety

> Assistant State's Attorney (ASA)

The ASA is an attorney who represents the state. They file petitions that list the alleged violations

> Court Reporter

The person who types a word for word record of what was said in court

> DCFS Attorney

An attorney who represents the Department of Children and Family Services

> DCFS Investigator

A worker from DCFS that investigates child safety concerns. Separate from caseworker

> CASA

Court Appointed Special Advocate. A trained volunteer appointed by the judge to advocate for a child

> Case Worker

Either from DCFS or another agency, the case worker works with the family to correct any issues that brought the case to court

> Guardian Ad Litem

Also known as GAL, an attorney who has a duty to represent the child in court, and protect their best interest

