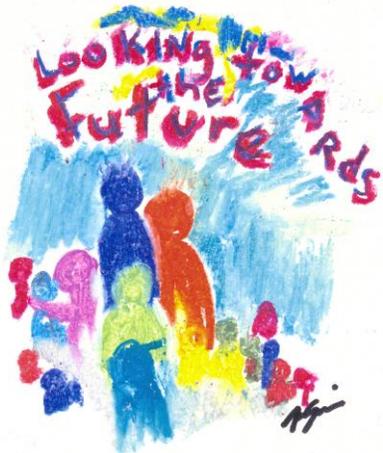


Important Things to Know!



◆ **Show up!** It is very important that you show up for your hearing. It's really important that your parents show up, too. You must show up even if your parents cannot -- if you don't, the judge can order the police to lock you up. So, write down your next court date and time. If your parents cannot take you to court for some reason, ask a relative to take you.

- ◆ **Wear nice clothes and show the judge respect.**
- ◆ **While you are in court, you should not play around or talk to anyone, except your lawyer and the judge.**
- ◆ **Tell your lawyer or the judge if you or your family are involved in any other court cases.**

Prepared by: Office of the State Courts Administrator
Phone: (850) 414-1507 www.flcourts.org

A special thanks to the youth, who contributed all of the artwork found in this brochure!

*If you are hearing or voice impaired, call 711.
Upon request by a person with a disability, this document will be made available in an alternate format.*

A Family Guide to Delinquency Court



My next court date is: _____

What time: _____

For what: _____

My Juvenile Probation Officer's name is: _____

My lawyer's name is: _____

My lawyer's phone number is: _____

Why am I here?

While we cannot tell you the specific reason you are here today, we can tell you that the judge needs to speak with you about something the police say you have done that is against the law (also called a “charge” or “your case”).

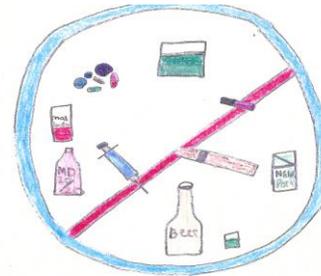
Who’s who in the court room?

- ◆ **Judge** - The judge will decide if you broke the law. If the judge finds that you broke the law, the judge will decide what needs to happen next.
- ◆ **Your Lawyer (“Public Defender” or “Defense Attorney”)** - Your lawyer works for you. He or she will give you advice on what to do. Your lawyer will also help you during court hearings and speak to the judge for you.
- ◆ **DJJ Juvenile Probation Officer (“JPO”)** - This person works for the Department of Juvenile Justice (DJJ). The JPO recommends whether you should stay in the detention center or go home, recommends services for you, and also recommends a sentence to the judge.
- ◆ **State Attorney (“Prosecutor”)** - The state attorney is the lawyer that represents the “People of Florida.” He or she will try to prove that you broke the law.
- ◆ **Police Officer** - It is the police officer’s job to protect the public and catch people who break the law and testify truthfully about what they saw and heard.
- ◆ **Bailiff** – Makes sure the courtroom is safe for everyone.
- ◆ **Clerk** - This person keeps a record of what happens in court

Probation - If you are put on probation, you live at home, but the judge will order you to do a lot of things (these are called “conditions of probation”). For example, the judge might order you to write an apology letter, stay away from certain people, attend school, be home at a certain time, get counseling, or be tested for drugs. The juvenile probation officer will help you get these things done, but is required to tell the court if you do not follow any of the probation conditions (this is called a “violation of probation”). Your parents may have to pay the Department of Juvenile Justice for each day you spend on probation.

Other examples of what a judge may order you to do:

Pay Restitution - If you did something that hurt someone or destroyed their property (like their car, their house, their bicycle, etc.), the judge may order you and even your parents to pay the person’s medical bills or to replace or fix the damage.

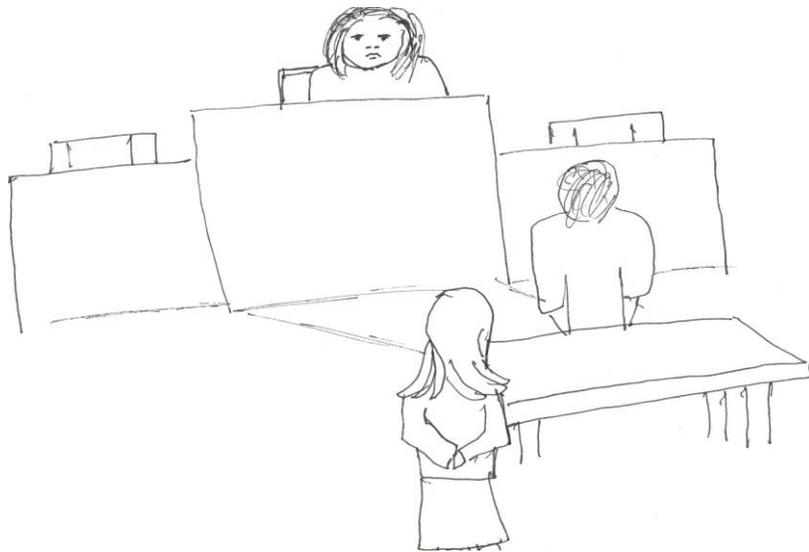


Get Treatment - If the judge thinks that one of the reasons you got into trouble was because of using drugs or something else going on in your life, the judge may order you to go into a treatment program or go to counseling. The judge may even order your parents to go to counseling.

Do Community Service - The judge may order you, and even your parents, to do volunteer work for the community like helping with a soup kitchen or working with a community group.

Trial or Plea Hearing - If you have a **trial** (may also be called an **adjudicatory hearing**), the state attorney's job is to prove you broke the law. Your lawyer's job is to show the state attorney has not proven that. Under our constitution, you have certain rights before and during trial. It is best that you talk to your lawyer before you do anything because it can affect some of those rights and what happens to you in the future.

After hearing from your lawyer and the state attorney (and sometimes from you and witnesses), the judge will decide if you have broken the law. If the judge decides you have not, your case is over. If the judge decides you have broken the law, then you will need to go to court for a **disposition hearing**, where the judge decides what will happen next.



Many times, people decide to give up their right to trial and want to enter a **plea** instead. That means you, your lawyer, and the state attorney have all agreed what is going to happen to you. If the judge accepts the plea or deal you have worked out, then you could have your **disposition hearing** right then, or you may have to come back to court for the disposition hearing.

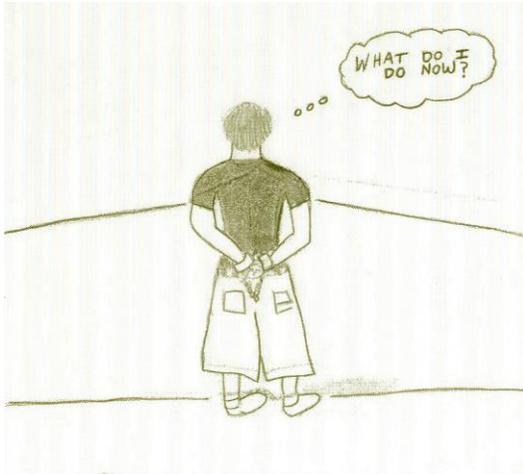
Disposition Hearing - At this hearing, the judge will go over any information he or she gets from the Department of Juvenile Justice (DJJ), the victim, your lawyer, the state attorney, police officers, your teachers, relatives and others. So, tell your lawyer about any adults who can help you, how you are doing in school, any jobs you have had, and your hobbies. Based on this information, the judge then decides what will happen to you.



How long will this take? -

Sometimes, the arraignment, plea hearing, and disposition can all happen during one visit to the court and sometimes they are separate visits to the court. It is also possible that you might come to court and your hearing will not occur. When that happens, you will be asked to come back on another day – this is called a **“continuance.”** If you do not understand what is happening, make sure you ask your lawyer to explain it to you. Remember that it may take several months before the judge decides your case.

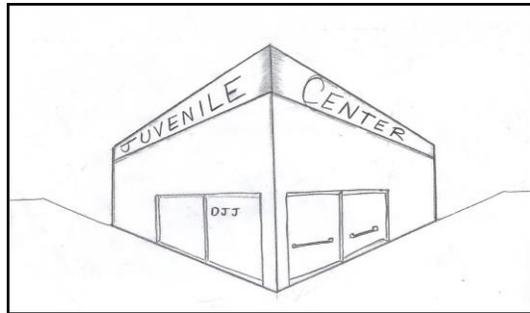
What could happen to me?



If the judge finds you have broken the law, you will probably be sent to a program or placed on probation.

Program or Commitment

There are four different kinds or levels of programs. Most of them require you to live somewhere else for a while. Some programs are less strict and others are a lot like a prison. You should talk to your lawyer about the different levels of programs, what kind of help you can get there, and where they are located. Your parents may have to pay the Department of Juvenile Justice to help care for you while you are in the program.



What happens in delinquency court?

First Hearing or First Visit to Court - If you were locked up at a detention center, your first visit to court will be for a **detention hearing**. The judge will decide whether you must stay locked up in the detention center for a while, go home under court restrictions (home detention), or go home without court restrictions while waiting for your second visit to court (your **arraignment hearing**).

If you were not locked up at a detention center, then your first visit to court will be for your **arraignment hearing**. At both hearings, the judge will tell you what law you have been accused of breaking. The judge will ask you whether you want a lawyer to help you. If the court or clerk finds that you or your family cannot afford a lawyer, the judge will appoint one to help you.

At your **arraignment hearing**, your lawyer will enter a **plea** for you. There are three different kinds of pleas: **(1) not guilty**; **(2) no contest or "nolo contendere"**; and **(3) guilty**. Your lawyer should explain to you what each of these mean and give you advice on what to do, but the decision is yours. If you enter a not guilty plea, then the next step is either a trial or plea negotiations.

