

Orange County Probation Department

Orange County Probation Department Juvenile Justice Guide



**A GUIDE
TO HELP FAMILIES
NAVIGATE THE
JUVENILE JUSTICE
SYSTEM AND AVAILABLE
RESOURCES**



How to Use this Guide

This guide is intended to educate parents/legal guardians who have youth entering the juvenile justice system for the first time regarding the possible legal outcomes specific to the Orange County Juvenile Justice System. Included are explanations of different court hearings and court reports, as well as the court process as a whole for both in and out of custody youth. There are also references for outside services that may be useful during this time. Not all situations could be covered in this guide and you are encouraged to seek additional information if your child's case deviates from the information in this guide. This guide is not meant to provide legal advice or direction and should not be taken as such.

The Orange County Probation Department is here to assist you and your family as you go through this difficult and often confusing process. For questions not included in this guide, please call (714) 935- 6611 during regular business hours and ask to speak to the Juvenile Officer of the Day.

Helpful Tips:

- Look for these boxes throughout this guide. They provide additional tips not provided as part of the general descriptions.



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Orange County Probation Department Juvenile Hall Contact Information

Orange County Juvenile Hall is located at:

331 The City Drive South, Orange, California 92868 (Letter C on the map below)
(714) 935-6660

Website: ocgov.com/gov/probation

Juvenile Hall is located next door to the Orange County Juvenile Courthouse.

Courthouse Location and Information

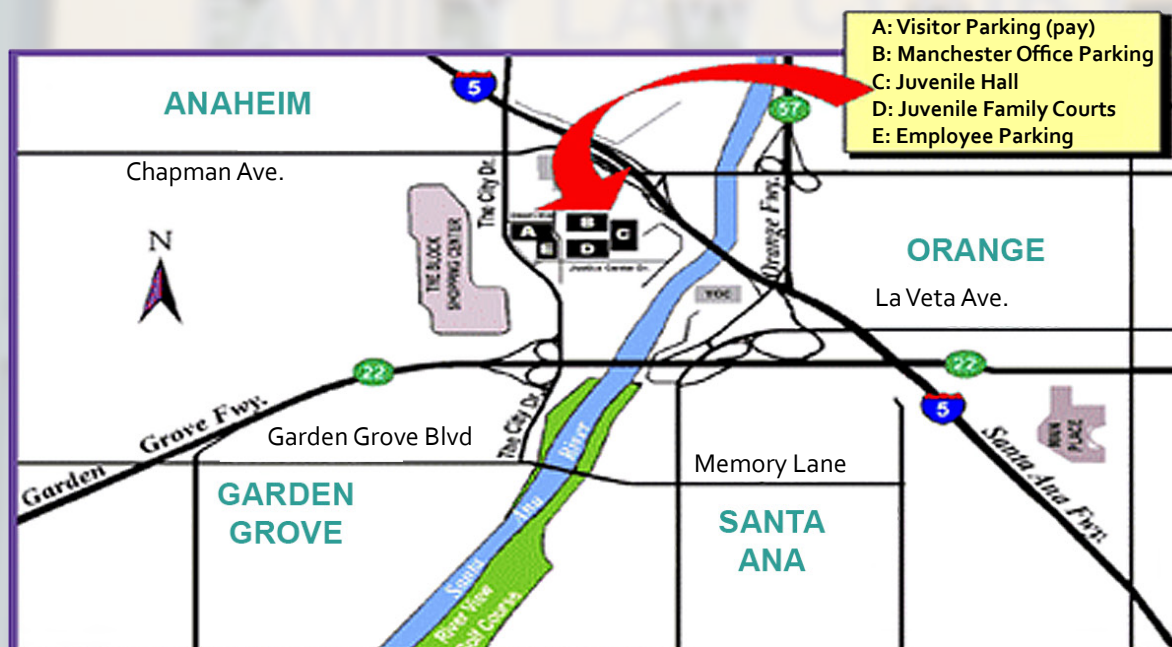
The Orange County Juvenile Courthouse is located at the Lamoreaux Justice Center in the City of Orange. Juvenile court is open Monday through Friday from 8:00 a.m. to 4:00 p.m. If you are reporting for a traffic citation, the juvenile traffic window is open from 8:00 a.m. to 4:00 p.m. Juvenile courtrooms are closed on the weekends and during court holidays.

The address for the Orange County Juvenile Courthouse is:

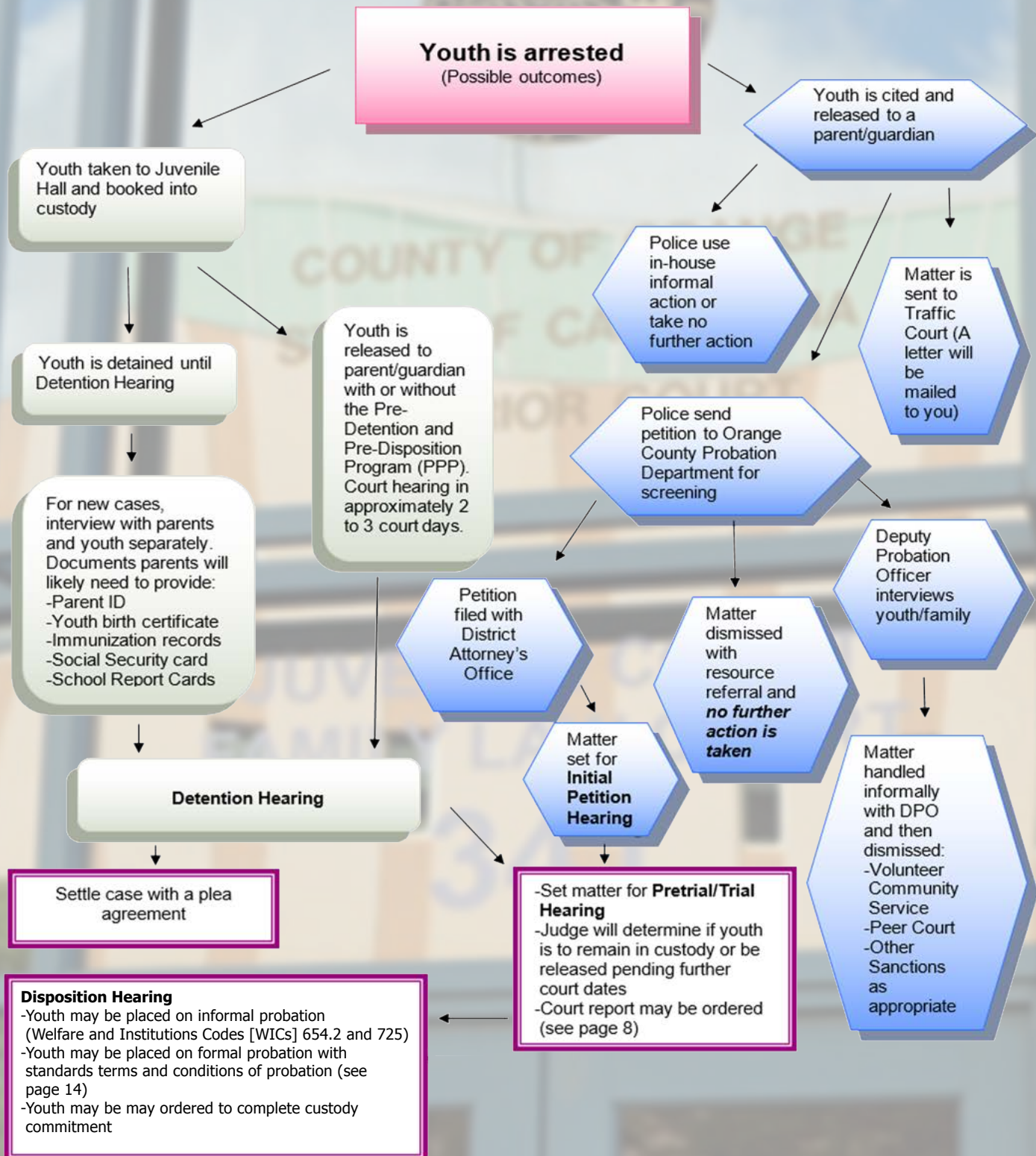
Lamoreaux Justice Center
341 The City Drive South, Orange, California 92868-3205 (Letter D on the map below)
(657) 622-5509
www.occourts.org/directory/juvenile

A public parking structure is located next to the courthouse on Dawn Way. There is an hourly charge to park your vehicle within this structure.

The Lamoreaux Justice Center is a FULL SECURITY facility. All persons entering the building will be required to pass through a weapons and security screening. All hand-carried objects are x-rayed. Weapons of any type are not allowed into the Lamoreaux Justice Center. Items such as knives, including pocket knives, scissors, corkscrews, Mace, pepper spray, knitting needles, etc., may be deemed potentially offensive and dangerous by the Orange County Sheriff's Department and will not be allowed in the building.



How Cases are Processed in Court



Types of Court Hearings

The following are some of the usual types of court hearings your child will attend and are listed in the order in which they generally occur.

Initial Petition Hearing - This is the first court appearance for youth who were arrested by a law enforcement officer, but were not taken to Juvenile Hall. It is very important you and your child appear for this court hearing. A warrant may be issued for your child's arrest if they fail to appear. At this court appearance, if you have not retained a private attorney, a deputy public defender will be appointed for your child and they may try to complete the case that day, depending on the severity of the offense, and whether or not the youth agrees they committed the act for which they are in court. If an agreement is reached, possible outcomes could include formal or informal probation, custody time, volunteer community service hours, restitution, etc. If an agreement cannot be reached that day, the matter will be set for a Pretrial Hearing as well as a trial. A report may also be ordered if more information is needed to help decide the case.

Detention Hearing - This is the first court appearance for youth who were arrested by a law enforcement official and taken to Juvenile Hall (this includes youth who were taken to Juvenile Hall but were released to a parent/guardian either on their own recognizance or on the home supervision with the Pre-Detention and Pre-Disposition Program (PPP). This court date is typically two (2) to three (3) days after the youth's arrest (excluding weekends and holidays). Parents are strongly encouraged to attend their child's hearing as the court is going to inform your child of the charges against them, as well as make a decision about releasing your child or keeping them in Juvenile Hall.

At this court appearance, if you have not retained a private attorney, a deputy public defender will be appointed for your child and they may try to complete the case that day, depending on the severity of the offense, and whether or not the youth agrees they committed

the act for which they are in court. If an agreement is reached, possible outcomes could include formal or informal probation, custody time, volunteer community service hours, restitution amount, etc. If an agreement cannot be reached that day, the matter will be set for a pretrial hearing, as well as a trial. A report may also be ordered if more information is needed to help decide the case.

Dennis H. Hearing - If a youth is not released from Juvenile Hall or is ordered to be detained in Juvenile Hall, their attorney may request a second Detention Hearing or re-hearing within three (3) days of the first detention hearing to contest the decision, also known as a Dennis H. Hearing. At the re-hearing, the prosecution has the burden to show that the alleged offense occurred AND that the youth should be detained.

Pretrial Hearing - During this hearing, the judge decides if the youth actually did what the petition says. The judge will ask the youth whether they admit or deny the charges. The youth's attorney will consider the evidence and possible outcomes, and then advise the youth what to do. If the youth admits to the charges, they give up the right to a trial and the judge will decide that the petition is true. If the youth denies the charges, there will be a trial, usually a week or two later. Sometimes several of these appearances may be needed as court personnel gather and process information.

The youth may be required to waive their rights to complete their case within statutory time limits if the case continues for an extended period of time. If the case is settled through a plea agreement at a Pretrial Hearing, the deputy district attorney and the youth's attorney will either agree on the terms of consequences or a disposition report will be requested for a disposition hearing so that the court can have additional information about the resources the youth and family may need.

Trial (Adjudication) Hearing - This is the hearing where the youth's court case is tried by the deputy district attorney and the youth's attorney. The judge is the finder of facts and determines if the youth has committed the act they are accused of based on the presented evidence. The judge makes findings and the case is either sustained (meaning the judge believes the youth committed the act) or dismissed (meaning the judge does not believe the youth committed the act). If any or all of the charges against the youth are sustained, the matter will be set for disposition (sentencing) and a disposition report may be ordered to provide the court with more information about the resources the youth and family may need. If the matter is dismissed by the judge, the matter will be sealed and deemed never to have occurred.

Disposition Hearing - This hearing takes place only if the judge decides the youth committed a crime and the petition is true. At this hearing, the judge decides the outcome and orders terms and conditions for the youth which may include informal or formal probation, a custody commitment, volunteer community service hours, a curfew, mandatory school attendance, counseling, etc. (Please see page 17 for more information on terms and conditions of probation).

Placement Suitability Hearing - This hearing is when the judge decides if the youth needs to be removed from living in the home of their parents and be placed in a foster home, short-term residential therapeutic program, or with a relative/non-relative extended family member. This can be a temporary move, made to assist the youth with getting needed services to reunite them successfully into the family again, or can be a permanent plan, set for youth until they reach eighteen (18) years of age. If the victim of the youth's offense resides in the home and there is danger to the victim if the youth returns, the court may also consider ordering the youth into placement.

Wardship Status Review Hearing - If a youth is placed on probation, a Wardship Status Review Hearing will be scheduled in eighteen (18) months to review the youth's progress on probation and determine if the youth needs to continue to remain on probation for additional services and/or supervision. Sometimes this hearing name is shortened and may be referred to as a Status Review Hearing.



Helpful Tips:

- Bring money for parking in the public parking structure as parking cannot be validated for court appearances.
- Arrive ON TIME for your court hearing. Allow at least 20 minutes to go through security, check in, and find your courtroom.
- Bring photo identification in case you will be visiting your child after their court hearing.
- Check in at the juvenile check-in desk on the first floor.
- For more information about the Juvenile Court process, please access the Orange County Probation Department website to view the Juvenile Court video and Juvenile Justice Guidebook at www.ocgov.com/gov/probation/ocjjs.

Types of Reports Ordered by the Court

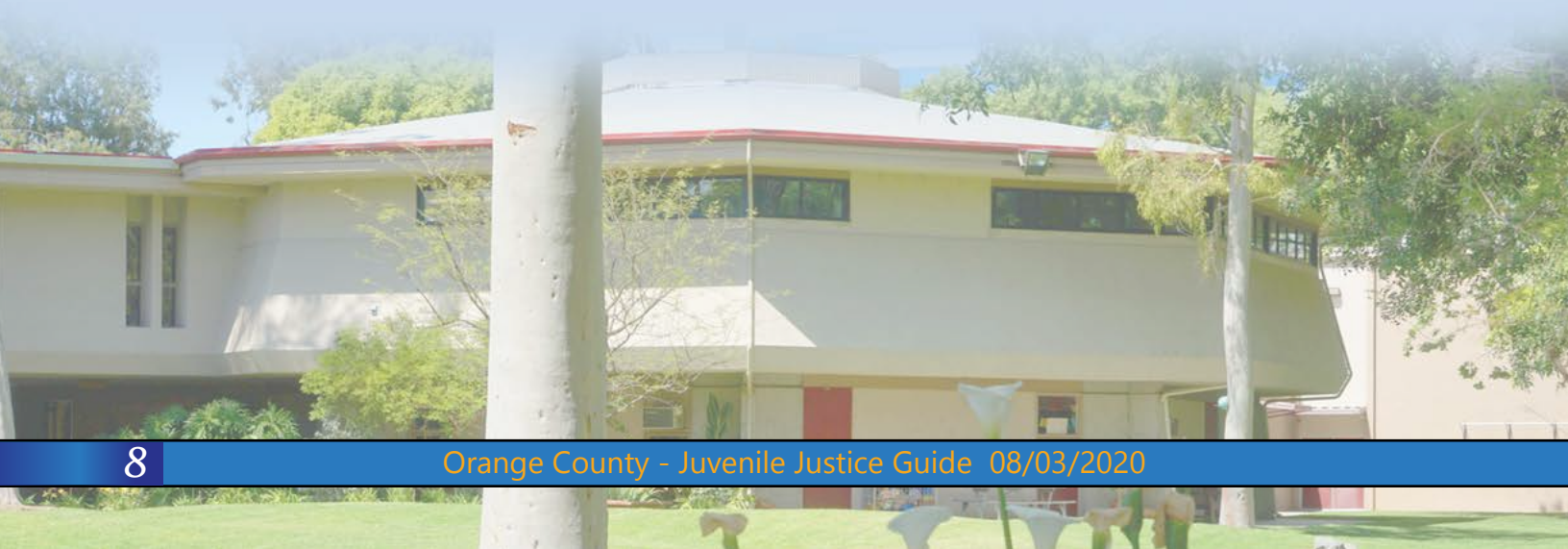
The following information provides a general overview of why the court is asking for a report and what information they are looking for in the report. Some reports may have requests for specific information added to them at the request of the judge, deputy district attorney, or deputy public defender. They are presented in alphabetical order.

Deferred Entry of Judgment (DEJ) Report - A youth who is at least fourteen (14) years old and commits a felony (not a WIC 707(b) offense), may have the benefit of DEJ if they have never had probation revoked or been committed to the Department of Juvenile Justice. If a youth successfully completes DEJ, the matter is dismissed and deemed never to have occurred. The probationary period may last one (1) to three (3) years. A deputy probation officer will be assigned to write the report and will conduct an interview with the youth and the parent/guardian. If DEJ is granted, the youth will have conditions of probation, including search and seizure.

Disposition Report - This report contains the same content as the pretrial report; however, the case has already been concluded and the judge has made a determination that the youth has committed an illegal act. This does not take into account plea bargains, which are often reduced offenses. In both of these cases, the court, deputy district attorney, or deputy probation officer are looking for additional information about the youth in order to make a decision about the outcome of the youth's case (formal or informal probation, time in custody, etc). A deputy probation officer will be assigned to write the report and will interview the youth, the parents/guardian, and the victim (if applicable). They will collect information about the family history, school records, social activities, drug experimentation, and discipline in the home.

Placement Suitability Report - A Placement Suitability Report is ordered when either there is not a suitable relative willing or able to care for the youth or the youth's presence in the home is a danger to the youth or others. Sometimes if the youth is beyond the control of their parents or the victim lives in the home, a Placement Suitability Report will be ordered. The purpose of this report is to determine whether the youth should be removed from their home and either placed with a relative, non-relative extended family member, or in a short-term residential therapeutic program. A deputy probation officer will be assigned to write the report and will interview the youth, the parents/guardian, and the victim (if applicable). They will collect information about the family history, school records, social activities, drug experimentation, and discipline in the home. They will also consult with any Department of Children and Family Services Agency that may have had an open case where the youth was involved. The deputy probation officer will make a recommendation after they have completed the report; however, the court will make the ultimate decision about how to proceed with the case.

Pretrial Report - This report is ordered by the court before it is determined if the youth engaged in a criminal act. The court, the deputy district attorney, or the youth's retained attorney may be looking for additional information about the youth in order to determine an appropriate course of action for the case (possible plea agreement). A deputy probation officer will be assigned to write the report and will interview the youth, the parents/guardian, and the victim (if applicable). They will collect information about the family history, school records, social activities, drug experimentation, and discipline in the home. The deputy probation officer will make a recommendation after they have completed the report; however, the court will make the ultimate decision about how to proceed with the case.





Recovery Court Evaluation Report - For youth who have a serious history or current use of narcotics, the court may refer the youth to a recovery court program for additional support in helping the youth achieve sobriety. Youth who have a history of violence or a current violent offense cannot be considered for this program.

WIC 241.1 Report - When youth have an open case in family court or dependency court, a report may be requested by the judge to determine if it is in the youth's best interest to leave the case in dependency court or to move it to delinquency court. A deputy probation officer from the probation department will write the report with the input of the social worker. Both the youth and parents will be asked to provide family information, which will be used to help determine the appropriate recommendation.

WIC 707 Suitability Report - In certain situations, the DA can ask the juvenile court to transfer a youth's case to adult criminal court. When this happens, the juvenile court judge will decide if the case of a youth who is sixteen (16) years or older should be transferred to adult criminal court. Youth fifteen (15) years of age

and younger cannot have their cases transferred to adult court, with the exception of those who committed a serious offense when they were fourteen (14) or fifteen (15) and were not arrested before juvenile court jurisdiction over the case ended. A case can only be transferred to adult court if the youth meets the age requirements and is charged with a very serious or violent offense. When charges such as these are made against the youth, a deputy probation officer will be assigned to interview the youth and the family to evaluate if the youth's case is appropriate for juvenile court. Things they will consider are criminal sophistication, prior record, successful prior attempts at rehabilitation for the youth, and if the youth can be rehabilitated before they become an adult under the current offense.

WIC 709 Competency Report - If, during court proceedings, it appears to court personnel that the youth cannot communicate with them in a way that helps the youth provide a defense for their actions, the judge will make an order to have a competency evaluation. This evaluation will be done by a professional referred by the court and they will evaluate the youth's mental health and developmental abilities. Court proceedings will be suspended until the report is completed and a competency determination is made.

Helpful Tips:

- Respond to the deputy probation officer's request for an interview as quickly as possible. They are working on a court deadline and generally only have a couple of days to gather all of the needed information for the report.
- Bring as much documentation as you have to verify any information provided in the interview (youth's birth certificate, marriage certificates, divorce decrees, death certificates, school report cards, utility bills for address verification, legal guardianship documentation, restraining order paperwork, etc.).
- Parking is in the same public structure as the court. Bring enough money to cover the cost as validation cannot be provided.

Alternative, Community, and Correctional Education Schools and Services (ACCESS)

The Orange County Department of Education collaborates with the Orange County Probation Department to provide incarcerated youth with a Western Association of Schools and Colleges (WASC) accredited school program of educational services and interventions in the facility schools.

The Youth Correctional Education Program (YCEP) is one of the many school programs offered by ACCESS. Students in YCEP attend school daily, Monday through Friday, for a minimum of 240 minutes in a classroom setting where teachers facilitate learning through small group instruction.

The goal of YCEP is to support the academic needs of students through the following:

- Provide students with a caring, safe, and successful learning environment designed to develop lifelong skills, and instill a voice that leads to positive transformation.
- Incorporate technology into learning to stimulate meaningful dialogue and offer the application of real life skills, including Career and Technical Education (CTE) opportunities.
- Support the whole child in building confidence through an engaging, rigorous, individualized academic program that includes a variety of co-curricular activities and wraparound services that promote personal growth.
- Value our dedicated faculty, parents, community, and partners who make a difference for students by creating a pathways for future success.
- Commit to a high level of student engagement, increased academic achievement, and positive collaborative behaviors that promote students' productive citizenship and college, career, and life readiness.

Helpful Tips:

- For information regarding your child's academic progress while attending a facility school, please contact the Otto A. Fischer School office at (714) 935-7651.
- To obtain school records, please call the ACCESS Attendance and Records Center at (714) 547-9972.

Alternatives to Detention

When possible, both the Juvenile Court and the Orange County Probation Department will attempt to handle all matters out of custody. This decision is based on several factors (factors such as seriousness of the current offense, prior offenses, drug use, parental control, and school performance) and is considered on an individual basis. Below are the two primary programs designed to provide enhanced structure rather than placing the youth in custody.

- **Accountability Commitment Program (ACP)** - ACP is court ordered alternative to detention. Youth ordered to ACP are released home with a GPS/electronic monitor and participate in the Youth Reporting Center (YRC) program Monday through Friday, 9:30 a.m. to 5:00 p.m. Transportation and meals are provided along with on-site educational and therapeutic programming. Youth are supervised at the site by probation staff and confined to their residence outside of program hours.
- **Pre-Detention and Pre-Disposition Program (PPP)** - PPP is a home confinement program that provides intensive, restrictive supervision to youth released home in lieu of detention while they are pending court. Youth are supervised by a deputy probation officer and placed on GPS/electronic monitoring equipment. Youth must obey the PPP rules or risk being returned to custody.



Helpful Tips:

It is important to understand the expectations of your child and you as their parent before you accept your youth home on either ACP or PPP. In both cases, youth are restricted to their home rather than being incarcerated in Juvenile Hall. This means your child cannot have visitors at the home and cannot leave the walls of the residence (they cannot hang out in the front or backyard of the house). Some exceptions are made for the youth to attend appointments related to physical and mental health. Small things such as going to get a haircut or going through a drive-thru for a quick meal are prohibited and may affect others in the home. It is expected parents will provide appropriate supervision while the youth is at home in order to monitor their compliance. Additionally, the assigned deputy probation officer will conduct regular residence checks.

These programs are provided free of charge to parents.

Parents' Bill of Rights

The Orange County Probation Department is committed to ensuring parents have the following rights:

1. As a parent, you have the right to know that you and your child will be treated fairly regardless of race, religion, national origin, language, economic status, disability, gender, sexual orientation, or age.
2. As a parent, you have the right to be a vocal and active advocate on behalf of your child.
3. As a parent, you have the right to be heard and informed regarding matters related to your child's case plan.
4. As a parent, you have the right to receive your child's terms and conditions of probation.
5. As a parent, you have the right to be treated professionally, courteously, and respectfully by all probation staff.
6. As a parent, you have the right to submit a written formal complaint, if these rights are violated. The citizen's complaint form can found on the probation website or in any probation office.

If your child is housed/placed by the Orange County Probation Department you have the following rights:

7. As a parent, you have the right to communicate with your child via visitation, telephone, and mail.
8. As a parent, you have the right to expect the agency to provide a safe, secure, and sanitary environment for your child.
9. As a parent, you have the right not to be judged, blamed, or labeled because of your child's probation status.



Parental Responsibilities

- It is extremely important that you make every effort to appear at each of your child's court hearings. Your presence, along with copies of related documents (e.g. report cards, certificates of participation in sports or other youth programs, completed volunteer community service hours, and/or proof of counseling services received) shows your support and may assist the court in determining a suitable outcome for the youth.
- On your child's court date, you should be at the courthouse prior to the scheduled court time with identification. Be sure to wait outside of your assigned courtroom so that anyone looking to contact you can find you. For example, your child's attorney may wish to speak with you or the bailiff in the courtroom may want to give you or your child instructions about their court appearance.
- You are entitled to an after court visit or phone call with your child if they are in custody following their hearing.
- If there is anything that is not clear about what has happened in court, DO NOT leave without speaking to your child's attorney. Making sure you understand what is expected of your child and yourself will prevent any further delays in completing the case and can help a successful outcome.
- Interpreter services are available, so please make sure to utilize this service if needed.
- Maintaining all records regarding your child's court case can prove valuable in the future if there are questions. After each hearing, the probation court officer will provide a green copy of the Court Disposition Sheet, which shows everything that happened in court that day, including new court dates. DO NOT leave without receiving this paper.



Financial Responsibilities

A youth, as well as their parents or legal guardian, may be responsible for certain financial obligations as ordered by the court. After the youth's case is concluded, you may be directed to meet with a financial officer for information specific to your youth's case.

Restitution and Restitution Fines

Youth can be charged for restitution and restitution fines. Restitution pays the victim to make up for the damage or harm caused by the youth. Restitution pays the victim back for things such as stolen or damaged property, medical expenses, and lost wages. Restitution fines are fixed amounts paid to a state restitution fund. If the Court decides that a victim is entitled to restitution, the youth and their parents/guardians are usually equally responsible for paying the victim back unless the court makes a different decision. If restitution is not paid in full when a youth's case is closed, it can become a civil judgment, which can affect the youth and the youth's parents' credit score.

The youth's parents/guardians may not be responsible to pay for any of the obligations listed above if it is determined they were the victim of the offense for which the court ordered the youth to be placed on probation and ordered to pay financial obligations.

Court and Probation Fees

Families with youth in juvenile court are not charged for detention fees (food, clothing, personal supplies, or medical care in Juvenile Hall or any other detention facility; legal fees (public defender or court appointed attorneys), electronic monitoring fees (ankle monitors or any other GPS tracking device), probation and home supervision fees for the period of probation supervision and monitoring; and drug testing fees (court ordered drug testing and results).

How to Pay

You are required to cooperate with a financial officer in a financial evaluation if ordered by the courts. In order for the financial evaluation to be successful, you will be required to provide proof of your income and proof of your expenses. The financial officer will work with you to set up a payment plan that will satisfy the court's orders while taking into consideration your individual circumstances.

Your Rights

If you disagree with the determined amount, you have the right to appear in front of the juvenile court for a hearing.

Helpful Tips:

Contact Information:

Probation Financial Officer of the Day
714-935-7411
P.O. Box 10260
Santa Ana, CA 92711

<http://www.ocgov.com/gov/probation/victim/restitution>

Rights and Roles of Victims

Victims of crime are provided with certain rights, in addition to restitution, and due process. These rights are outlined in the Victims' Bill of Rights of 2008: Marsy's Law. They have a right to information and a right to participate in the court process. More information about these rights and others can be found on the Victim Assistance section of the California Courts website at www.courts.ca.gov/1107.htm.

Victims may be able to recover some of their losses by asking the court to order someone to pay restitution. The State Restitution Fund is also available to crime victims and may assist a victim with additional victim services such as counseling or relocation.

The following resources are available for additional assistance or resources:

California Attorney General's Office Victim Services Unit - Provides local victim/witness information, geographic resource information, and appeal status to victims of crime.

- www.oag.ca.gov/victimservices
- 877-433-9069
- P.O. Box 944255, Sacramento, CA 94244-2550

Victim Compensation Board - Assists victims with paying for mental health counseling, funeral costs, loss of income crime scene cleanup, relocation, medical and, dental bills.

- www.victims.ca.gov
- 800-777-9229

California Department of Corrections and Rehabilitation, Office of Victim and Survivor Rights and Services (OVSRS) - Provides information on offender release, restitution, parole conditions, and parole hearings when the offender is incarcerated in prison.

- www.cdcr.ca.gov/victim_services
- 877-256-6877

Orange County District Attorney

- <http://orangecountyda.org/howdoi/services/witnessinfo.asp>
- 714-834-3600

Waymakers operates a comprehensive Victim/Witness Assistance Program that provides needed service for crime victims and witnesses and encourages their cooperation in the investigation of the case and prosecution of the offender.

- www.waymakersoc.org/supporting-victims
- Help line (24 hour) 714-957-2737
- Business hours phone number 949-250-0488

Helpful Tips:

The Orange County Probation Department has a Victim Services Coordinator who responds to inquiries about Marsy's Law and provides victims with information concerning the procedures of the Court and the Probation Department.

The Victim Services Coordinator can be contacted at:

714-347-8000

VictimServices@prob.ocgov.com

P.O. Box 11486

Santa Ana, CA 92711-0260

Juvenile Diversion

If a youth is arrested for a minor offense and/or they are a first time offender, they may be eligible to have their case diverted through the probation department rather than going through the formal court process (see right side of chart on page 5).

The police department will deliver a police report and an Application for Petition to the probation department. Once the probation department receives this, the matter will be reviewed and screened for handling options. If the case is a less serious crime and the youth does not have a prior record, the youth's case may be assigned to a deputy probation officer, who will interview the youth and their parent/guardian to determine if the case can be handled informally and out of court. The deputy probation officer will send an appointment letter to the youth's parents/guardians. The letter will include a date and time for an interview. When a parent receives one of these letters, it is very important that they appear for the appointment as directed. If they do not appear for the interview or call the deputy probation officer, the matter will probably be sent to the District Attorney's Office for filing in court.

If after the interview process the deputy probation officer determines the youth meets the criteria for diversion, they will be directed to complete one or more sanctions before their case is dismissed. Possible things they may be required to do include: complete a legal awareness program, complete a drug education class, complete volunteer community service hours, participate in Peer Court, pay restitution, improve school grades, write an essay, attend counseling, or something else related to the youth's offense that is considered rehabilitative. Generally, the time frame to complete these activities is three (3) to six (6) months. Once the proof of completion has been submitted to and verified by the deputy probation officer, the deputy probation officer will dismiss the case and no further action will be taken. If the youth fails to complete the assigned activities, the matter may be referred to the District Attorney's Office to file the matter in court.



**THINK
POSITIVELY**

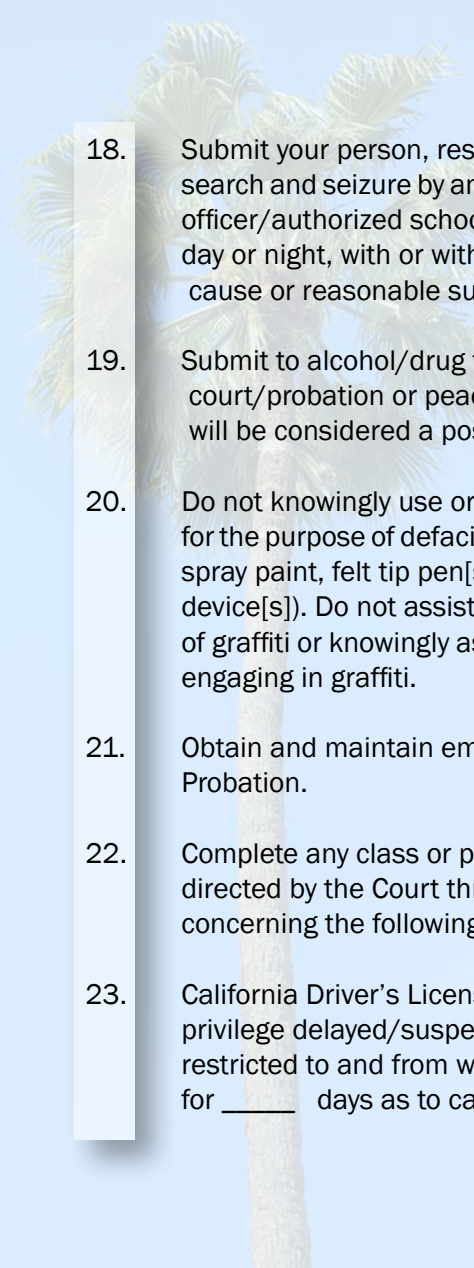
Helpful Tips:

When a youth's alleged offense is handled informally through a diversion program, they are provided an opportunity to avoid going through the formal judicial system. Even if the alleged offense does not warrant time in Juvenile Hall, if a youth is placed on probation and violates their court ordered terms and conditions, they could face time in custody. Research indicates that youth who are incarcerated for any amount of time face a higher risk to reoffend, a higher risk of dropping out of school, and a higher risk of having difficulty obtaining employment.

Orange County Probation Department Standard Terms and Conditions of Probation

These are the terms and conditions of probation the judge may order a youth to follow if they are placed on formal probation. Depending on the dynamics of a youth's case, some or all of the terms listed below may be omitted. These are provided only for your reference.

1. Report to your probation officer as directed.
2. Obey all orders of the Court and your probation officer.
3. Obey all laws. You must advise your probation officer of any arrest or citation with law enforcement within 48 hours of the incident.
4. Do not be out of your residence between _____ p.m. and 6:00 a.m., unless accompanied by a parent or guardian, or with Probation's approval, seven days a week.
5. Pay restitution as to case(s) _____ as set by the Court, as directed by Probation on all counts, including dismissed counts, reserving the right to a restitution hearing at any time during the term of commitment or probation.
6. Restitution fine of \$_____ is imposed as to each case, and stayed as to all cases except as to case(s): _____
7. Complete _____ hours Voluntary Community Service (VCS).
8. Do not live with anyone disapproved of by your probation officer or parents or guardian.
9. Notify the probation officer of your current address and telephone number; report any changes within 48 hours.
10. Do not leave the State of California without prior permission from your probation officer.
11. Attend a school/program approved by Probation without unexcused absence. Report any absence to Probation by 10:00 a.m. same day or within 30 minutes of any class that you do not attend.
12. Do not associate with anyone who you know is disapproved by the Court, your parent/guardian, or probation officer. Do not associate with anyone who you know, or who your probation officer informs you, is a member of a statutorily defined criminal street gang, or is a member of an illegal tagging crew, and/or is on probation or parole, except with the prior approval of the probation officer. Do not associate with anyone you know is possessing, selling, using, or under the influence of illegal or illegally obtained alcohol, drugs or narcotics.
13. Do not be in an area you know, or where the probation officer informs you, that members of a statutorily defined criminal street gang congregate.
14. Do not knowingly use, possess, sell, or be under the influence of alcohol, illegal drugs, narcotics, or controlled substances unless prescribed by a medical doctor. Do not knowingly possess controlled substance paraphernalia as defined in Health and Safety Code Section 11364.5.
15. Do not knowingly have any weapon that is illegal or dangerous or deadly in your possession, or knowingly be in the presence of any illegally armed person.
16. Do not contact by yourself or through others the victims and witnesses of any of the offenses that are the subject of this disposition.
17. Have only peaceful contact with victims and/or witnesses, which means not threatening, injuring, intimidating, attacking, battering, assaulting, stalking, damaging or destroying the personal property, or blocking the movements of the victims and/or witnesses.

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| <p>18. Submit your person, residence and property to search and seizure by any peace officer/probation officer/authorized school official at any time of day or night, with or without a warrant, probable cause or reasonable suspicion.</p> <p>19. Submit to alcohol/drug testing as directed by the court/probation or peace officer. Failure to test will be considered a positive test.</p> <p>20. Do not knowingly use or possess any item for the purpose of defacing any property (including spray paint, felt tip pen[s], and inscribing device[s]). Do not assist others in the application of graffiti or knowingly associate with others while engaging in graffiti.</p> <p>21. Obtain and maintain employment as directed by Probation.</p> <p>22. Complete any class or program of counseling, as directed by the Court through Probation, concerning the following:</p> <p>23. California Driver's License (CDL) privilege delayed/suspended or CDL restricted to and from work school for _____ days as to case(s)</p> | <p>24. Pursuant to Penal Code § 29820, if you are adjudged a ward under WIC 602 you may not own or possess any firearm until the age of 30.</p> <p>25. Provide a buccal swab, fingerprints, palm prints, blood specimen, or other biological sample pursuant to Penal Code § 296.</p> <p>26. You understand that the probation officer can, with your consent, impose limited informal sanctions for violations of probation without a court order.</p> <p>27. You may return in _____ and request a plea withdrawal, subject to the Court's discretion.</p> <p>28. All terms and conditions of probation, previously ordered are incorporated by this reference and remain in full force and effect.</p> |
|--|---|

Helpful Tips:

- Once the court orders terms and conditions of probation for a youth, the youth is responsible for making sure they are following them as ordered.
- Upon receiving the case, the assigned deputy probation officer will go over each of these court ordered terms and conditions of probation with the youth to ensure that the youth understands what is expected of them. It is important that parents are present to make sure they hear and receive the same information as the youth when these rules are explained.
- It is important for the youth and the youth's parents to ask the youth's attorney or the assigned deputy probation officer as many as questions as necessary regarding these conditions of probation so that they can be followed accurately. A youth who does not comply with their court ordered terms and conditions can be found in violation of probation.

Gang Terms and Conditions of Probation

Your child may receive gang terms and conditions of probation if they commit a crime that is gang-related, if there is an ongoing issue with gang activity, if they are identified in a gang injunction process, or other reasons depending on the individual case. If this is the case, below are the specific orders the court may make:

1. You are not to be in any area that you know, or your probation officer informs you, is a gang gathering area of the _____ gang.
2. You may not associate with any person you know to be a member of the _____ gang. Further, you may not associate with anyone who your probation officer informs you is a member of that gang.
3. You may not associate with the following individual(s):
4. You may not be in any vehicle which you know contains any illegal, dangerous or deadly weapon, replica weapon, or ammunition. Further, you may not be in any vehicle where you know an occupant is in possession of an illegal, dangerous or deadly weapon, replica weapon, or ammunition.
5. You may not remain in any vehicle, either as a passenger or driver, which you know to be stolen.
6. You may not possess any device you know to be an auto theft or burglary tool. This includes any master key, shaved key, lock pick, dent puller, slide hammer, or "slim jim." Further, you may not possess any device which your probation officer advises you is considered to be a burglary tool.
7. You shall not be present at any court proceeding or at any courthouse building, including the lobby, hallway, courtroom, or parking lot that you know or reasonably should know involves either criminal street gang charges or a person associated with a criminal street gang (as defined in Penal Code Section 186.22) as a member or witness, unless you are scheduled for a court hearing as a party, defendant, or subpoenaed as a witness to a court proceeding, or you have the express permission of your probation officer, or have other lawful business with the court or county administration.
8. You may not be on any school campus where you are not enrolled without the permission of the school administrator and your probation officer.

9. Do not wear, display, use or possess any graffiti, insignia, emblem, button, badge, cap, hat, scarf, bandana, footwear, jewelry, any other article of clothing, or clothing accessories which you know or reasonably should know is evidence of affiliation with or membership in the criminal street gang (as defined by the Penal Code Section 186.22).
10. Do not knowingly possess any item that you know indicates membership in or affiliation with a criminal street gang (as defined by Penal Code Section 186.22).
11. Do not obtain any tattoo which you know or reasonably should know is evidence of affiliation of a criminal street gang (as defined by Penal Code Section 186.22).
12. You must register with the chief of police in the city in which you reside, or the sheriff of the county if you reside in an unincorporated area, within 10 days of the imposition of this term or 10 days of release of custody, whichever comes first, pursuant to California Penal Code section 186.30. You must submit a copy of these terms and conditions of probation at the time of registration. You must submit yourself to any photographing and/or fingerprinting if requested to do so by the police agency.
13. To the extent that there are conflicts with terms and conditions previously imposed, these terms and conditions supersede.



Helpful Tips:

- Parents should recognize the signs their child is involved in gang activity so they can take appropriate steps to intervene. Things such as allegiance to sports team where there is not a family connection, dressing in specific colors, or associates can be strong indicators of a youth's gang association. Other things such as drawings in school notebooks or on pieces of paper in their room may also contain signs of gang affiliation.
- Talk with your child if you suspect they are in a gang. If they tell you they are not in a gang, but many of their friends are, this could be an indication they are more involved than they want to admit to you.
- If you suspect your child is associating with a gang, you can seek further information from the deputy probation officer or legal awareness classes.

How Can I Help My Child Succeed on Probation?

Maintain regular contact with your child's probation officer to ensure your child's needs are being met and to ensure that they are successful in achieving the treatment goals and sanctions in the court order. You can help ensure your child's success by doing the following:

- Maintain regular contact with your child's probation officer and keep them informed of your child's successes and struggles while on probation. The more information the probation officer has, the better able they are to meet your child's needs and help them succeed.
- Cooperate with school officials to help your child stay on task academically. Share concerns of poor attendance, performance, or behavior with your child's probation officer so the right steps can be taken to help your child succeed in school. If your child has an active Individualized Education Program (IEP) or 504 Plan, make sure to attend all scheduled meetings related to this.
- Attend all court proceedings with your child.
- Ensure that you, your child, and your family members attend any required counseling or therapy.
- Arrange for your child's transportation to counseling, employment, community service work, etc. If transportation is a problem, contact your child's probation officer to talk about transportation options.
- Ensure that your child completes court-ordered goals and sanctions within the established timeframes.
- Provide a home for your child that is safe and nurturing, as well as recognizes your child's strengths and successes.



Helpful Tips:

- While the role of the probation officer is to supervise the youth and monitor their compliance with court-ordered sanctions and services, they are also an advocate for your child and provide them with case management services and referrals.
- The probation officer wants your child to succeed, as do you, and know the appropriate way to monitor and support your child. They are your main point of contact as your child case moves through the juvenile justice system.
- At times, the process can be confusing and you may have questions. Always know that you can contact your child's probation officer for assistance.

The Family-Probation Partnership

Families Can:

Tell us what is going on with your child and family and be supportive by going to court and meetings with your child. Provide us with feedback on how we can work together to help your child succeed.

Tell us about your individual situations, experiences, strengths, and needs.

Be honest, reliable, and courteous.

Understand that we have to treat everyone equally, and we will be fair.

Participate in case plans, decision-making, and solutions involving your child

Be available to us and give us complete, clear, and accurate information.

Ask questions about your child's case and care.

Be patient as we work together through the juvenile justice system.

Trust we have your child's best interest at heart.

Work to build positive connections to your community resources.

Contact us for help before problems arise.

Probation Will:

Treat you as an important resource for information about and support for your child.

Ask for your input, listen to you, and value what you have to say.

Learn about your individual situations, experiences, strengths, and needs.

Be honest, reliable, and courteous.

Treat you with dignity, without blame, labeling, or judgment.

Involve you in case plans, decision-making, and solutions involving your child.

Be available to you and give you complete, clear, and accurate information.

Encourage you to ask questions and help you understand your child's case.

Guide you through the juvenile justice system.

Earn your trust through a sincere commitment to helping your child.

Help you build positive connections to your community resources.

Make sure you know who to contact for help and how.

Respect
Understand
Include
Support

Sealing of Juvenile Records

Although most juvenile court records are confidential, the law sometimes allows government officials to look at them. However, in many cases, the court will “seal” a youth’s juvenile records. Once the records are sealed, the law treats the arrest and court case as if they never happened. If this occurs, the youth can say that they do not have a criminal or juvenile record. The following are explanations of record sealing situations:

Sealing at Dismissal:

If the juvenile court dismisses a youth’s case without making the child a ward of the court, the youth’s juvenile court record shall be sealed.

If the court declares a youth a ward of the court and later dismisses the case because the youth has satisfactorily completed probation, the court will also seal the youth’s records and send the youth a copy of the sealing order and form JV-596-INFO (Sealing of Records for Satisfactory Completion of Probation).

If the youth satisfactorily completes a probation diversion program, the probation department will seal those records and provide the youth with notice of the sealing.

Sealing on Request:

If a youth does not satisfactorily complete probation or the probation diversion program, the court will not dismiss the case and the youth’s records will not be automatically sealed. When this occurs, the youth can either:

- Ask the court to review the probation department’s decision on the diversion case and order the records sealed.
- Ask the court later to seal the records.

If a youth is made a ward for an offense listed in Welfare and Institutions Code (WIC) 707(b), other than sex offenses requiring a youth to register as a sex offender, the youth can ask the court to seal the records:

- At age twenty-one (21), if the youth was sent to the Division of Juvenile Justice
- At age eighteen (18), if the youth was not sent to Division of Juvenile Justice.

Sealing not Allowed:

If the court finds that a youth committed a sex offense listed in WIC 707(b) when the youth was fourteen (14) years of age or older and for which the youth needs to register as a sex offender, then the court cannot seal the youth’s record.



Helpful Tips:

More information about sealing juvenile records can be found on the following sites:

- www.occourts.org/directory/juvenile/Sealing_of_Records.html
- www.ocgov.com/gov/probation/contact/sealing_juvenile_records

Frequently Asked Questions (FAQs)

The following are some questions that are frequently asked of the probation department and are included as a quick reference for basic information. Some of the information may be repeated throughout this document.

- Who is financially responsible? Parents are financially responsible for restitution, including but not limited to damages, victim's medical bills, lost wages; as well as restitution fines. Probation's financial office is located on the fourth floor of the Manchester Office Building (MOB) 301 The City Drive, Orange CA 92868 or can be called at 714-935-7411.
- Where can I get information about court ordered programs? Contact the Health Care Agency Behavioral Health Services information and referral line (OC-Links) at www.ochealthinfo.com/oclinks or call 855-625-4657. They are open Monday through Friday 8:00 a.m. to 6:00 p.m.
- If my child was placed on formal supervised probation, where do they report? Youth must report to the closest probation area office to your home on the day they are declared a ward of the court. You should receive instructions in court directing you to report immediately after your appearance.

Probation Offices:

- Manchester Office Building (714) 935-6611
- North County Field Services Office (714) 937-4500
- Santa Ana Field Services Office (714) 569-2000
- South County Field Services Office (949) 206-4160
- West County Field Services Office (714) 896-7878

Who can I contact if I have questions about the juvenile justice system?

- Call 714-935-6611 and ask to speak to the Juvenile Officer of the Day.

Helpful contact information:

Juvenile Hall

331 City Drive South, Orange, CA 92868
(714) 935-6660

Youth Guidance Center

3030 N. Hesperian Way, Santa Ana, CA 92706
(714) 836-2700

Youth Leadership Academy

3155 W. Justice Center Way, Orange, CA 92868
(714) 935-7009

Orange County Department of Education

Otto Fischer School
(714) 935-7651

Catholic Chaplain Ministry

(714) 282-4265

Protestant Chaplain Ministry

(714) 935-6365

Visiting Hours and Guidelines for the Juvenile Facilities

Visiting Hours

Juvenile Hall

Unless notified of a different time, visiting at Juvenile Hall is scheduled by the youth's last name as follows:

Day of the Week	Time	By First Letter of Last Name
Saturday	9:00 a.m. - 11:00 a.m.	A,B,C,D,E,F
Saturday	2:30 p.m. - 4:30 p.m.	G,H,I,J,K,L,M,N
Saturday	6:30 p.m. - 8:30 p.m.	O,P,Q,R,S,T,U,V,W,X,Y,Z
Sunday	2:30 p.m. - 4:30 p.m.	All youth in Unit T
Sunday	6:30 p.m. - 8:30 p.m.	All youth in Unit A
Monday	6:30 p.m. - 8:30 p.m.	Youth in Unit Z, as needed

The Camps

Youth Guidance Center	Saturday 2:00 p.m. - 4:15 p.m.
Youth Leadership Academy	Saturday 9:00 a.m. - 11:00 a.m.

Visiting Guidelines

Who can visit a youth in custody?

- Parents and legal guardians can visit with a valid form of United States identification (California Driver's License/Identification Card, passport, matricula consular, etc.) Any exception must be pre-authorized by a unit supervisor, administrator, or court order. Youth are allowed only (2) visitors at a time.
- Visitors must report to the Juvenile Hall Reception Desk fifteen (15) minutes before the designated visiting time.
- All visits are subject to monitoring by probation staff and may be terminated at the discretion of staff on duty in the visiting area.
- All visitors will be required to pass through a metal detector prior to entering Juvenile Hall and will be required to exhibit items detected.
- The following are never allowed during visits:

No keys, belts, purses, briefcases, backpacks, hip pouches, food, beverages, cell phones, packages, or parcels are permitted inside Juvenile Hall.

Visitors are not allowed to leave children unsupervised in the Juvenile Hall Lobby while visiting.

Contact with other detained youth is prohibited unless pre-authorized. Visitors are not to relay information or messages from other detained youth to persons outside the facility . Any visitor's involvement in a youth's criminal activity or interference with other ward's legal matters may result in prosecution.

Smoking is not permitted in Juvenile Hall or in any of the juvenile facilities.

It is unlawful to send or bring into any juvenile facility any drugs or paraphernalia, firearms, weapons, tear gas, explosives, or alcoholic beverages. Visitors are not allowed to give any tobacco, matches, or food items (gum, candy, soda, etc.), money or any drugs or medicines to the youth. No gifts are permitted, including birthdays and holidays.

A narcotics detection dog may be on the premises during these hours. In the event that the dog alerts to the presence of drugs, you will be subject to search.

Visiting Dress Code:

The following are prohibited during visiting:

Clothing or accessories displaying obscene or offensive language or images; sheer or transparent garments; halter tops, strapless or spaghetti straps; clothing exposing the breasts/chest, mid-drift, genital area, back of buttocks; shorts, skirts and dresses that expose more than 2 inches above the knee; tight, form-fitting attire; hats or gloves; sunglasses; hair pins/ bobby pins; and gang attire. Shoes must be worn at all times. Visitors wearing prohibited attire will be denied a visit.



Helpful Tips:

The following resources are also available for more information about facility visiting protocol:

<http://www.ocgov.com/gov/probation/contact/institutions>

Juvenile Hall Reception (714-935-6660)

Consular Notification and Access

Foreign consulates connected to a youth's country of origin are available to assist youth and their families or any questions or concerns they may have involving their rights and the juvenile justice process. If a youth is arrested and taken to Juvenile Hall, and they were born in a country other than the United States, the youth will be advised of their right to have the consulate belonging to their country of origin notified. Once they are contacted, they can begin to provide immigration-related services and support to your youth. Notice to the consulate is NOT notification to Immigration and Customs Enforcement.

A consular officer is an official of a foreign government who provides help on behalf of that government to citizens of that government who are in another country. They are not attorneys authorized to practice law in the United States, but can visit and talk with the foreign national who is in custody and assist them with getting an attorney. They may also monitor the progress of the case in court, seek to ensure that the youth receives a fair trial, help locate family members, point out cultural differences that may be important in determining the youth's best interests, and assist with locating documents relevant to the youth's cases.

Consulate Notification

Whenever a person, including a youth, who is not a United States citizen is arrested or detained, they are advised of their right to have their consular officers notified of the arrest or detention, and that they may communicate with the consular officers. Probation must notify consular officers that a national of their country has been arrested or detained if: (1) the foreign national requests notification after being informed of their right to make such a request or (2) an agreement between the United States and the foreign national's country requires mandatory notification regardless of the foreign national's request.

For the fifty-six (56) countries that require mandatory notification, the Probation Department is required to notify the appropriate country's consular officers located in the United States that a youth has been arrested or detained. Probation will do this as soon as possible. In addition, the youth will communicate with their consular officers. Even though the Probation Department is mandated to notify the consular officer of these fifty-six (56) countries when a youth from their country is in custody, the youth is not required to accept help from their consular officer.



Helpful Tips:

Additional information regarding consulate notification can be located on the United States Department of State-Bureau of Consular Affairs website at:

<https://travel.state.gov/content/travel/en/consularnotification.html>

Resources

General Assistance:

2-1-1 Orange County

2-1-1 Orange County runs a comprehensive information and referral system and provides a resource database of human and health services and support. This information is accessible 24 hours a day, 7 days a week and is available online. The multi-lingual hotline connects people quickly and effectively to existing programs and disaster response information. Just dial 2-1-1 or connect online at: <https://www.211oc.org/get-help.html>

Legal Information:

General Court Information

For more specific information related to the court process, you can go to the following website:

- www.occourts.org/directory/juvenile
- www.courts.ca.gov/documents/jv060info.pdf

Local Legal Resources Information:

<https://occourts.org/forms/local/l1172.pdf>

Probation Department General Inquiries

- 714-569-2000
- <http://www.ocgov.com/gov/probation/>

Parent Education:

Padres Unidos

Padres Unidos provides a free 26-week parent education program, parent support group, and a conjoint program with the youth and their parents.

Padres Unidos can be reached at: <http://ocpu.org> or (714) 935-7552 or (714) 616-8423

Therapeutic needs:

OC Links

The OC Links Hotline (855) 625-4657 is available from 8:00 a.m. to 6:00 p.m. Monday through Friday. OC Links is operated by Orange County Health Care Agency and provides telephone and online support for anyone seeking information or linkage to any of the Health Care Agency's Behavioral Health Services. Services include children and adult mental health, alcohol and drug inpatient and outpatient, crisis programs, and prevention and early intervention services. Services may be provided on a sliding scale. OC Links can also be accessed on-line at www.ochealthinfo.com/oclinks

Youth Shelters:

Youth shelters are available to help twenty-four (24) hours a day, seven (7) days a week. The shelters accept children who range in age from eleven (11) to seventeen (17) and provide a safe, temporary place for the youth to live. If the police are called to respond to your home for a domestic disturbance where your child is damaging property or physically assaulting family members, the police may suggest having your child stay at a shelter for a period so that everyone has the chance to calm down without the youth having to go into custody at Juvenile Hall. The shelters can also help put the families into contact with therapeutic services.

Casa Youth Shelter

Casa Youth Shelter provides support and temporary shelter for runaways and youth in crisis, who range in age from twelve (12) to seventeen (17), enabling them to come through the crisis with an increased personal strength and a sense of renewal while in a supportive environment, with family reunification as a primary goal.

- 24-Hour Crisis Hotline: (800) 914-2272
- Los Alamitos Shelter: (562) 594-6825

For additional information, the website is: <http://www.casayouthshelter.org>

Waymakers Youth Shelters

Waymakers provides shelter care for teens struggling with mental health issues, as well as emergency shelters for runaway, homeless, abused, and at-risk youth who range in age from eleven (11) to seventeen (17).

- Huntington Beach (714) 842-6600
- Laguna Beach (949) 494-4311
- Tustin (714) 714-0780

For additional information, the website is: <https://waymakersoc.org/sheltering-children>



Definitions

There are a lot of terms or acronyms used in the Juvenile Justice. Here is a list of some of them:

Accountability Commitment Program (ACP) - This program is offered to some youth as a way to complete their Juvenile Hall commitment while sleeping at home at night. The program is all day long and the school is located on site. Youth who do not successfully complete the program will be returned to Juvenile Hall where they must complete the rest of their custody commitment.

Adjudication - The court process where a judge decides there is enough evidence the youth committed the act for which they are charged.

Bailiff - There is a bailiff in each courtroom and they are assigned to keep the peace in the courtroom. The bailiff is a deputy sheriff and will be wearing a uniform. They may give you directions about where to sit in the courtroom while waiting for your case to be called. They may also call you into the courtroom from the hallway.

Bench Warrant - A warrant issued by the court because the youth failed to appear for a mandatory hearing.

Citation - An arrest, where a youth is released to their parent or legal guardian. A citation requires the youth to meet with a deputy probation officer at a later date or to appear in Juvenile Traffic Court. Youth facing criminal charges can also be arrested by the police and released to their parents with the charges filed by mail with the Probation Department and/or District Attorney's Office.

Deferred Entry of Judgment (DEJ) - A youth who is at least fourteen (14) years old and commits a felony (not a Welfare and Institutions Code 707(b) offense), may have the benefit of DEJ if they have never had probation revoked or been committed to the Division of Juvenile Justice. If a youth successfully completes DEJ, the matter is dismissed and deemed never to have occurred. The probationary period may last one (1) to three (3) years.

Deputy District Attorney - If a matter is referred to the District Attorney's Office by the deputy probation officer, the deputy district attorney will decide if the youth's case should be sent to juvenile court. They work to represent the state's interest in each delinquency case and are tasked with providing protection to the community. They will work with the youth's attorney to settle the case or take the case to trial, depending on multiple factors.

Deputy Probation Officer - Deputy probation officers will process a youth's case, be present in court, and provide supervision for both formal and informal probation cases.

Deputy Public Defender - A free lawyer appointed to represent the youth during the court process. It is important to note that the deputy public defender is tasked with representing the youth's legal interests and rights. This means the deputy public defender may not always consult with the youth's parent prior to acting in court on the youth's behalf or follow the parents' requests. If a parent's wishes for the outcome of the case are different than that of their child, the parent may request their own representation.



Detention - The housing of a youth in secure custody at Juvenile Hall. A decision must be made within seventy-two (72) hours (or three (3) business days) about the continued detention of the youth.

Detention Hearing - The first hearing after a youth is arrested and detained in custody. The court decides whether or not the youth is released from custody, placed on the Pre-Detention and Pre-Disposition Program (PPP), or remains at Juvenile Hall pending disposition.

Disposition - An order the judge makes as a consequence of a youth's behavior. Also known as "sentencing" in adult court.

Felony - An action that would be a serious crime if committed by an adult.

Juvenile Defender - This is a conflict attorney that is retained the same way as a deputy public defender. The juvenile defender is appointed when the deputy public defender has a conflict in the case and cannot represent the youth. This can occur in instances where there were two (2) or more youth involved in the case, the deputy public defender could only represent one youth and the juvenile defender would be appointed to represent the other youth. It is important to note that the juvenile defender is tasked with representing your child's legal interests and rights. This means the juvenile defender may not always consult you prior to acting in court on your child's behalf or follow your requests. If your wishes for the outcome of the case are different than that of your child, you may request your own representation as the juvenile defender can only represent the wishes of your child, their client.

Juvenile Justice - The legal system designed to guide, rehabilitate, and protect children who break the law, and to keep the community safe.

Marsy's Law - In 2008, the California Constitution was amended to provide additional rights and due process to victims of crime. A victim is defined under the California Constitution as "a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term 'victim' also includes the person's spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated. The term 'victim' does not include a person in custody for an offense, the accused, or a person whom the court finds would not act in the best interests of a minor victim." Some of the rights afforded to victims include: being treated with fairness and respect for privacy and dignity; to be free from intimidation, harassment and abuse throughout the juvenile justice process; to reasonable notice of delinquency proceedings, upon request; and to be heard, upon request, at any proceeding involving a post-arrest release decision, or any proceeding in which the right of the victim is at issue.

Miranda Rights/Warning/Rule - If a youth is interviewed by a deputy probation officer regarding the pending charges, they will read the Miranda warning to the youth to remind them of their right to silence and/or representation by an attorney during questioning. This rule applies to the crime the youth is going to court for, and does not include questions about family, school, employment, drug use, or social activities that the deputy probation officer may ask about. In the case of these questions, the deputy probation officer is trying to determine information about the youth in order to provide as much information to the court as possible to help them with deciding on a case.

Misdemeanor - An action that would be a less serious crime if committed by an adult.

Non-Relative Extended Family Member (NREFM) - This is anyone who has a positive relationship with the youth and who may be willing to provide care for the youth in their home, but is not related to the youth by blood.

Notice of Hearing - A paper telling you the date, time, and place of a court hearing, and what will happen there.

Petition - A paper filed with the court that says your child did something against the law.

601 Petition - A petition filed by the probation officer that accuses your child of something that's against the law for a child to do, for example, skipping school or breaking curfew.

602 Petition - A petition filed by the prosecuting attorney that accuses your child of doing something that would be a crime if an adult did it.

Pre-Detention and Pre-Disposition Program (PPP) - PPP is a temporary release program where the youth is released home with electronic monitoring equipment where they can stay until the court process is completed. The youth is considered detained at home, which means they are expected to remain home and not leave their residence without the approval of the assigned PPP deputy probation officer. If they are enrolled in school or have an existing ongoing therapy or doctor's appointment, these appointments must be made known to the assigned PPP deputy probation officer, but the youth will be allowed to attend. The program is at no cost to the family. Not all youth can be considered for this program, depending on several factors, including the seriousness of the crime and family dynamics.

Private Attorney - You may always exercise your right to retain a private attorney for the defense of your child's case if you do not wish to utilize the public defense system. A private attorney has all of the same access rights as a deputy public defender has in Juvenile Hall and court.

Released on Own Recognizance - This means the youth was released with a promise to appear at their next court date and they are not confined to their home like on the Pre-Detention and Pre-Disposition Program (PPP).

Restitution - Money owed to the victim of an act to make up for the damage or harm done.

Terms and Conditions of Probation - Court orders that tell a person on probation what they must and must not do.

Wardship - A youth whom the court has decided to supervise because the youth did something against the law.

NOTES







Orange County probation Department

