

26. Can my child's juvenile court record be used against him or her as an adult?

Under the three-strikes law, certain serious or violent felonies committed as a juvenile at ages 16 and 17 can be counted as strikes and used against your child in the future.

27. What should I do as a parent?

All your parental responsibilities continue when your child receives a citation. You may want to contact a lawyer for assistance.

If your child is placed in a group home or committed to a probation camp or the Division of Juvenile Justice, do your best to maintain contact with your child and support the positive activities he or she does there. Encourage your child to follow the court's orders and remain in his or her placement. Understand what is happening in your child's life so that you can prepare for his or her return. Explore ways of creating a protective and supportive environment for your child's return to school or work. Develop strategies to hold your child accountable for his or her behavior.

Contact your child's parole agent or probation officer to ask for referrals to community organizations that can assist you, such as parent groups or counseling. Your school district and local hospital or mental health department may also offer programs.

County

JUVENILE COURT INFORMATION FOR PARENTS

The purposes of the delinquency court are to protect, give guidance to, and rehabilitate children who commit delinquent acts, and to protect the community.

If your child becomes a ward of the court as a juvenile delinquent, the court will make orders for you and your child so that your child and the community will be protected.

As a ward of the delinquency court:

1. Your child may be allowed to live in your home under court supervision; or
2. Your child may be placed outside of your home in an unlocked or locked facility, depending upon your child's age, the seriousness of the offense, and your child's history of delinquency.

The petition and other papers you may have received say your child is accused of having done certain delinquent acts. The petition does not prove anything, but it is important for you to know what your child is accused of having done. You have the right to receive a copy of the petition.

PLEASE READ THE PETITION CAREFULLY.

1. My child came home after being arrested. What will happen now?

Your county's probation department will probably contact you and ask you and your child to come in for a meeting with a probation officer.

You may receive a Notice to Appear (a specific date and time you and your child must show up at the probation department).

In some cases, your child may receive a Notice to Appear directly in juvenile court.

2. My child was arrested and taken into custody. What can the arresting officer do?

The officer may:

- a. Let your child go home to you or bring your child home or back to the place of arrest, and maintain a record of the contact.
- b. Bring or refer your child to a community agency providing shelter, care, diversion, or counseling.
- c. In some counties, require your child to return to the police station rather than to the probation department (this is sometimes called being "cited back").
- d. Give you and your child a Notice to Appear, telling you what you and your child must do and when you must do it.
- e. Shortly after the arrest, lock up your child in the juvenile hall (this is called "detention"). A child who is locked up or held by an officer has the right to make at least two phone calls within one hour after arrest. One of the phone calls must be a completed call to a parent, guardian, responsible relative, or employer. The other call must be a completed call to an attorney. If the officer is going to question your child about what happened, the officer must also tell your child that he or she has the right to remain silent, that anything your child says will be used against him or her, that he or she has a right to be represented by a lawyer, and that the court will appoint a lawyer if your child cannot afford one. These are called *Miranda* rights. If the officer is not going to question your child, the officer will not have to explain these rights.

24. Will I be required to pay my child's fees?

Yes. Unless you are the victim of your child's crime, you may receive a bill from the county for all or a portion of your child's attorney's fees. You will be billed for probation department services fees (such as food and laundry while your child was in juvenile hall) and placement costs for keeping your child in a state placement such as the Division of Juvenile Justice, a probation camp, or an out-of-home placement. These costs can be high. You will have a chance to show how much, if any, of these costs you are able to pay. (The Juvenile Court does not make this decision.)

25. Can my child's juvenile records be sealed?

If your child's records are sealed, it is as if the offense that brought your child to court never happened. That means your child can truthfully say he or she does not have a criminal record (unless your child wants to join the military or get federal security clearance).

If your child's case is dismissed by the juvenile court after January 1, 2015, because your child satisfactorily completed probation (formal or informal), in many cases the court will have sealed your child's records. If the court seals your child's records for this reason, he or she should receive a copy of the sealing order and form [JV-596-INFO](#), *Sealing of Records for Satisfactory Completion of Probation*.

If the court finds your child has not satisfactorily completed probation, it will not dismiss the case and will not seal the records at termination. To have the records sealed in this situation, your child will need to ask the court to seal the records at a later date. (See form [JV-595-INFO](#), *How to Ask the Court to Seal Your Records*, for more information about asking the court to seal records.)

The court will not seal your child's records if your child is found to have committed an offense listed in Welfare and Institutions Code section 707(b) (violent offenses such as murder, rape, or kidnapping, and some offenses involving drugs or weapons) when he or she was 14 or older, and the charge was not dismissed or reduced to a lesser offense not listed in 707(b).

You may visit your child during visiting hours, which are on Saturdays or Sundays for 2 to 3 hours at a time, depending on the reception center. The Ventura reception center for girls allows visits for up to 6½ hours at a time. You may not call your child at the reception center, but you may write to your child. Your child may make collect calls to you from a pay phone.

22. When would my child go to the Division of Adult Operations instead of the Division of Juvenile Justice (DJJ)?

Your child can be sentenced to adult prison (California Department of Corrections and Rehabilitation, Division of Adult Operations) if he or she is tried as an adult (see questions 19 and 20). If your child will be tried as an adult, it is extremely important to talk to your child's attorney about the very serious consequences of your child's situation.

Between the ages of 14 and 18, your child must stay at DJJ even if he or she is sentenced to adult prison.

Your child may serve the entire term at DJJ if the term will end before he or she reaches age 21. If your child's term will last past the age of 21, your child could be at DJJ until age 18 and then be transferred to the Division of Adult Operations on his or her 18th birthday.

23. Do I have to pay money for my child's acts?

Yes. You may also have to pay restitution to the victim if your child is ordered to pay. Restitution is money to pay for the victim's losses caused by your child's illegal conduct. Examples of restitution might include the value of stolen or damaged property, medical expenses, and lost wages. Restitution that remains to be paid when your child's case is closed becomes a civil judgment, which can affect your credit score.

If your child is locked up or held somewhere, the officer must take immediate steps to notify you that your child is in custody and where your child is being held. When you are notified, the officer must also tell you about each of the *Miranda* rights that your child has.

3. If we get a Notice to Appear, what will happen at the meeting with the probation officer? What should I do?

If your child doesn't already have a lawyer, you may wish to contact the public defender or a private attorney for advice.

One of three things may happen at the meeting:

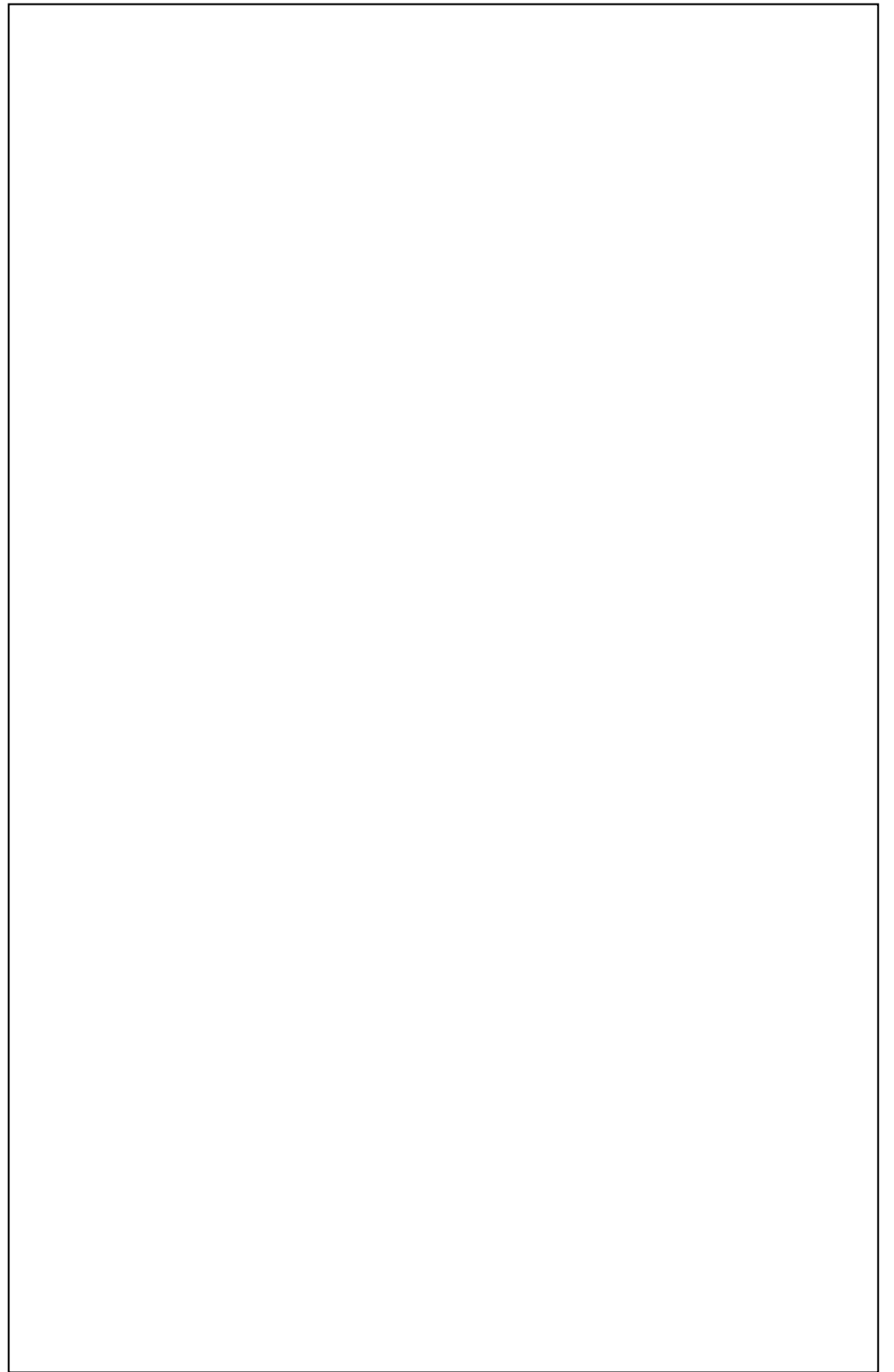
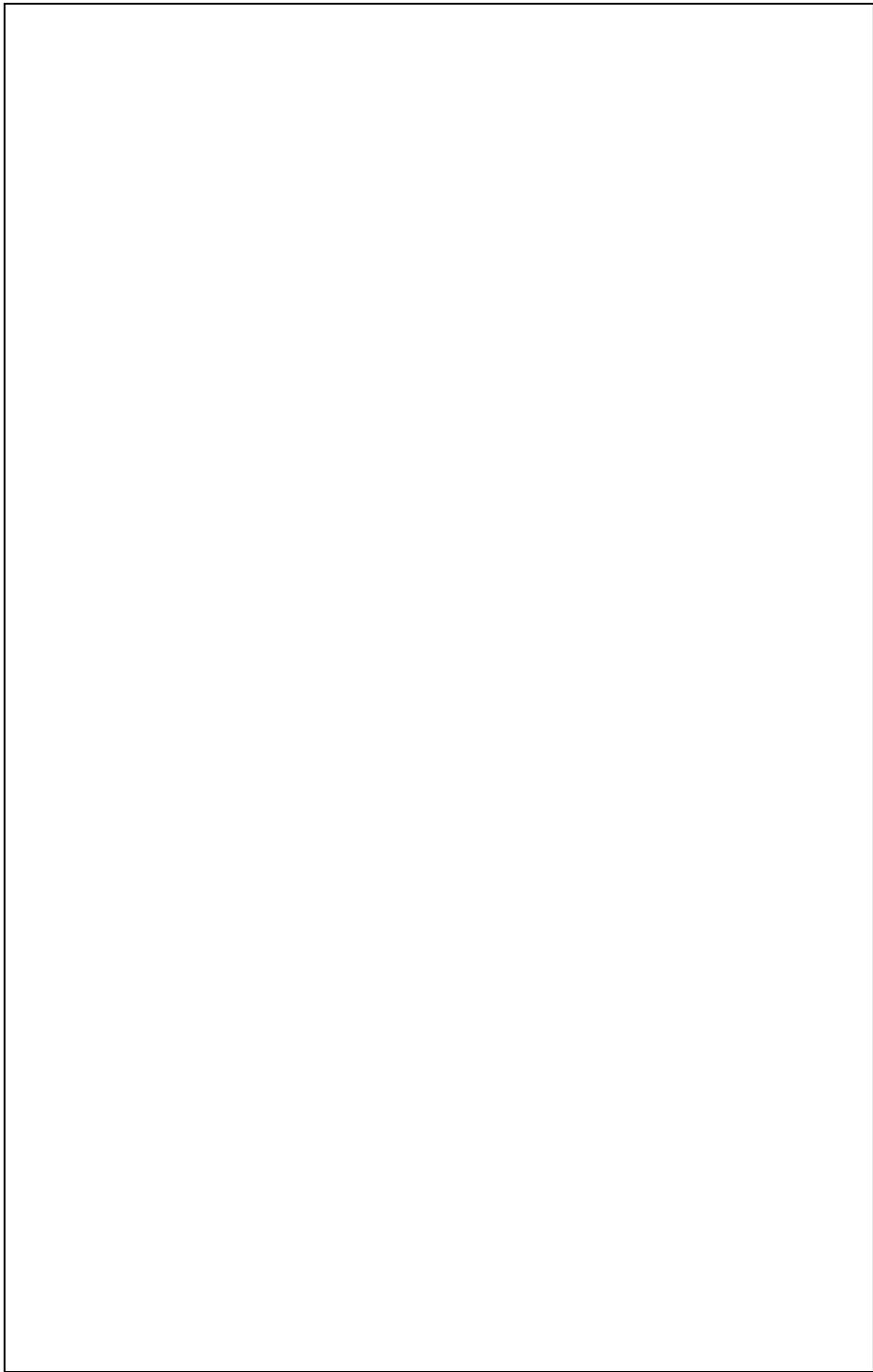
- a. The probation officer can reprimand your child and then let your child go home without getting the juvenile court involved.
- b. The probation officer may offer your child a voluntary program instead of going to court. Each county is different and programs vary, but generally if your son or daughter successfully completes the program (for example, attending special classes or substance abuse counseling, performing community service, cleaning graffiti, or going to a youth or peer court if your county has one), the juvenile court does not need to become involved. If you and your child agree to a voluntary program, the probation department may ask you to sign an informal contract describing what you and your child must do. It can last up to six months.
- c. The probation officer can refer your child's case to the district attorney, who will decide whether or not to file a petition.

4. Do I need a lawyer for myself?

No, not usually. If your child has a lawyer, the lawyer represents your child and not you.

5. Does my child need a lawyer?

Yes, and your child has a right to a lawyer who is both effective and prepared. If you cannot afford to hire a lawyer for your child, the court will appoint a lawyer to represent your child. California Rules of Court, rule 5.664, requires any attorney the court appoints to represent your child to have education and training specific to representing children in delinquency cases.



Your child is placed on probation and ordered to live in a relative's home, a private residential group home, or an institutional program.

Your child is placed on probation and sent to a probation camp or ranch.

Your child is committed to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ). (But if your child is tried as an adult, the adult criminal court could sentence your child to the California Department of Corrections and Rehabilitation, Division of Adult Operations (see questions 19, 20, and 22).

As a parent, you may be ordered to take part in counseling, parent training, or other activities.

May I be present at the hearings?

Yes. In fact, state law requires you to be present. The judge must decide what will be best for your child. Depending on the offense, if

