



A Family Guide to Fairfax County's JUVENILE JUSTICE SYSTEM

Developed by the Family Engagement Committee
January 2016

FAIRFAX COUNTY JUVENILE JUSTICE SYSTEM OVERVIEW



VISION

As public servants, lead the nation:

In delivering evidence-based, sustainable, and measurable services to clients in partnership with our community. In building on individual and family strengths to improve client outcomes while remaining focused on public safety and promoting equal and effective justice.

CORE VALUES

Accountability

We are ethical in our decision-making, follow policies and procedures, and accept responsibility for our actions. We hold ourselves and our clients responsible to ensure the protection of the community.

Collaboration

We commit to engage and work in partnership with youths, families, adults, and stakeholders to ensure the best possible outcomes.

Diversity

We embrace diversity and promote services for our diverse population. We develop and maintain a culturally competent workforce.

Innovation

We are committed to excellence. We implement the highest quality of services using practices that are driven by the most current trends, research, and technology.

Integrity

We are honest and fair in all our professional interactions. We recognize the diversity of individuals and their viewpoints while treating everyone equitably and impartially. The youths, families, adults, and communities with whom we work are our first priority.

Passion

We are committed to fulfilling the agency's mission. We serve as representatives of the agency with dedication, enthusiasm, and perseverance.

COMMITMENT TO FAMILY ENGAGEMENT

VISION

Supporting and strengthening individual and family engagement through collaboration and partnership.

MISSION

As a Court Service Unit, we promise to engage individuals and families with respect and integrity, while empowering all to identify and develop their strengths.

Initial printing December 2016, with updates as needed to ensure accuracy with Fairfax County Juvenile and Domestic Relations District Court and the purpose of this guide.

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A FAMILY GUIDE

TO FAIRFAX COUNTY'S JUVENILE JUSTICE SYSTEM

TABLE OF CONTENTS

Introduction	4
The Juvenile Court – How Is It Different?	5
Terms Used in the Juvenile Justice System	6
The Juvenile Justice System Explained	8
Juvenile Justice Flowchart	9
People You May Meet	10
Advocating for Your Child	11
When Your Child Has Been Charged with an Offense	12
Juvenile Intake	13
Informal Supervision	15
Formal Court Processing	16
What Happens at the Detention Hearing?	17
What Happens at Adjudication and Disposition Hearings?	18
A Family's Roles and Responsibilities.....	20
Impact of Juvenile Court Involvement	22
Services and Supports for Families	23
References and Resources	26
Contributors	26
More Information	26

INTRODUCTION

The juvenile justice system values parent-child and family relationships. Juvenile justice workers can help to strengthen these relationships. Positive, long-term outcomes for youth requires family involvement.

This guide was created to help you through the system and give you tools to support your child. You can use it beginning from the time of arrest or having a complaint filed against your child until their case closes. This guide includes information about:

- what will happen as your child goes through the juvenile court system
- ways that you, juvenile probation, and the juvenile court can work together to help your child
- people that you and your child will meet
- commonly used terms
- the rights and responsibilities of everyone involved, including you, your child, juvenile probation, and the court
- ways that you and your child can get additional help

In addition to the juvenile, the Fairfax County Juvenile and Domestic Relations District Court (JDRDC) provides services to adults.

- **Domestic Relations** provides intake services for cases involving paternity, custody, visitation, child and spousal support, family abuse, protective orders, and abuse involving minor children. This unit also offers mediation services and some custody investigations.
- **Community Corrections** serves adults who are placed on probation by the juvenile court. Probation officers supervise most misdemeanor cases where an adult is the offender and a child, family, or household member is the victim. Most cases supervised by Community Corrections are the result of an assault on a family or household member.

If you have any questions regarding Domestic Relations or Community Corrections:

Community Corrections
703-246-2375

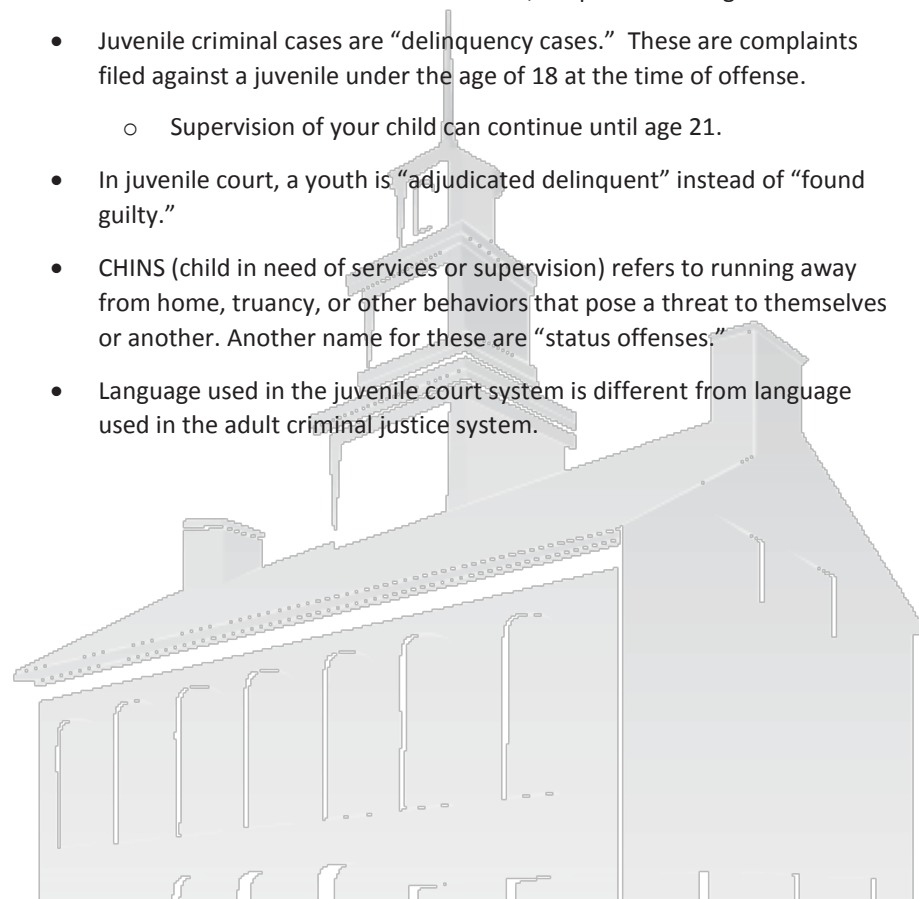
Domestic Relations
703-246-3040

4110 Chain Bridge Road
Suite 203
Fairfax VA, 22030

THE JUVENILE COURT – HOW IS IT DIFFERENT?

Juvenile and Domestic Relations District Court (JDRDC) differs from other courts in the following ways:

- They have a duty to protect the privacy of juveniles and their families involved with the court.
- While protecting the public and holding delinquent juveniles accountable, the court considers services needed to provide for rehabilitation.
- This court does not conduct jury trials.
- A judge determines guilt or innocence.
- There are seven judges for the juvenile court. You may not have the same judge during the entire court process.
- Like other courts in the Commonwealth, we protect the rights of victims.
- Juvenile criminal cases are “delinquency cases.” These are complaints filed against a juvenile under the age of 18 at the time of offense.
 - Supervision of your child can continue until age 21.
- In juvenile court, a youth is “adjudicated delinquent” instead of “found guilty.”
- CHINS (child in need of services or supervision) refers to running away from home, truancy, or other behaviors that pose a threat to themselves or another. Another name for these are “status offenses.”
- Language used in the juvenile court system is different from language used in the adult criminal justice system.



TERMS USED IN THE JUVENILE JUSTICE SYSTEM

Listed below are terms in this guide that you may hear while your child is involved with the Fairfax County Juvenile Court System:

- **Accountability:** When a child commits a crime, he or she is responsible for the harm caused. The youth needs to take action to repair the harm and restore the victim's/community's losses to their pre-crime state, when possible.
- **Aftercare Services:** Designed to help the youth re-enter the community from an out-of-home placement. May include medical, mental health, substance abuse, behavior modification, educational, vocational, family services, etc.
- **Appeal:** Apply to a higher court (the Circuit Court) hoping to change the court's decision. Filing must occur within 10 days of an adjudicatory hearing.
- **Arrest:** When police take or hold a youth in custody due to a delinquency charge.
- **Assessment:** An evaluation of a child. An assessment looks at the chances a child will commit another crime. They also may include psychological, educational, and family factors relating to the youth.
- **Best Interest:** A standard used to decide what actions or arrangements most benefit a child.
- **Code of Virginia:** This refers to the laws in the Commonwealth of Virginia.
- **Competency Hearing:** A hearing at the request of an attorney, the Commonwealth, or the court to determine if a child understands the charges and can help with their own defense. A trained psychologist will evaluate the child.
- **Court Order:** A document signed by a judge, directing youth to do something.
- **Detained/Detention:** Placement at the Juvenile Detention Center (locked) or Shelter Care (unlocked).
- **Emancipation:** An order allowing a minor to live away from parents/guardians. This means they are free from the care and control of a parent or guardian. A minor must meet specific requirements (Virginia Law) before a judge is able to enter an emancipation order; most specifically to show the maturity and independent financial ability to care for themselves.
- **Juvenile Detention Center (JDC):** A secure facility where youth are housed while waiting for a hearing, disposition, commitment, placement, or an appeal. JDC for youth is different from jail for adults because juveniles do not have a right to bail. Youth also receive education and treatment services.
- **Expungement:** The legal erasing of a juvenile court record as though it never existed.
- **Intensive Supervision Program (ISP):** Post-dispositional supervision for juveniles on probation or parole. Targeted at high-risk cases and intended to add to traditional probation/parole supervision.
- **Petition:** A petition informs a judge of the charges against a youth. Starts the formal court process.
- **Plea:** A youth's response before a judgment of "guilty" or "not guilty." Before accepting a plea of "guilty", the judge must ensure that the youth understands the charges against him. The judge will personally inform the youth of his rights (to have the state prove their case beyond a reasonable doubt, to confront the witnesses against him, etc.). A youth must understand the potential consequences of giving up those rights.
- **Pre-disposition Report:** Submitted to a judge identifying risks, needs, and recommended disposition or treatment for a youth adjudicated delinquent. The judge is not required to agree with this report and may give a youth a different disposition.
- **Probation:** Supervision of a delinquent youth in the community instead of a secure facility (JDC). When on probation, the youth must comply with any conditions ordered by a judge. These may include routine drug tests, payment of restitution, participation in treatment or educational programs, and/or completion of community service.
- **Probable Cause:** Reason to believe a youth committed the offense for which they were charge. Neither an arrest nor a search can occur without probable cause.

- **Protective Factors:** Factors that help reduce the impact of risk factors in a young person's life. These can be family, school, community/peers, etc.

Residential Facility Placement: A placement that can be either before or after sentencing. Placement may include education, mental health care, and medical care. The facility, youth factors, and charge(s) determine length of stay.

- **Restitution:** Payments that a judge may order a youth to make to a victim of a crime.
- **Review Hearing:** A court hearing to review a child's progress and/or compliance.
- **Risk Factors:** Behaviors and factors that may contribute to committing crimes. These may include family conflict and the use or involvement with drugs and firearms. Friends who engage in negative behaviors are also a risk factor.
- **Sanctions:** Consequences given to youth when they break the rules of probation. Examples include: community service, electronic monitoring, increased probation supervision, and/or curfew restrictions or incarceration. Sanctions may come from a probation officer or a judge.
- **Subpoena:** A court order requiring a person to appear in court at a certain date and time.
- **Truancy:** Frequent absence from school without permission. The law requires youth to attend school up to a certain age. Skipping school or repeated absences violates the law.
- **Warrant:** An order signed by a judge. It allows law enforcement to make an arrest, perform a search, or seize property.
- **Youth Assessment Screening Instrument (YASI):** A research-based assessment tool designed to determine a child's service needs and risk to reoffend. A YASI assessment may occur while on diversion or probation.

THE JUVENILE JUSTICE SYSTEM EXPLAINED

Juvenile and Domestic Relations District Court

The JDRDC has authority over juvenile matters and offenses committed by adults against juveniles (under the age of 18). The JDRDC also deals with most family matters, except divorce.

Mission

The Court Service Unit provides efficient, effective, and equitable probation and residential services. We promote positive behavioral change and reducing negative behavior. We strive to do this within a framework of accountability consistent with the well-being of a client, a family, and the protection of the community.

The court has specific authority over the following types of cases:

Juvenile:

- Delinquency
- Status Offenders
- Child in Need of Services (CHINServ)
- Child in Need of Supervision (CHINSup)
- Offenses against Household/Family Member
- Traffic Infractions and Driver's Licenses for juveniles.
- Abuse and Neglect
- Entrustment Agreements
- Termination of Parental Rights and Reversal of Termination
- Consent to Emergency Medical Treatment
- Emancipation
- Competency Hearings

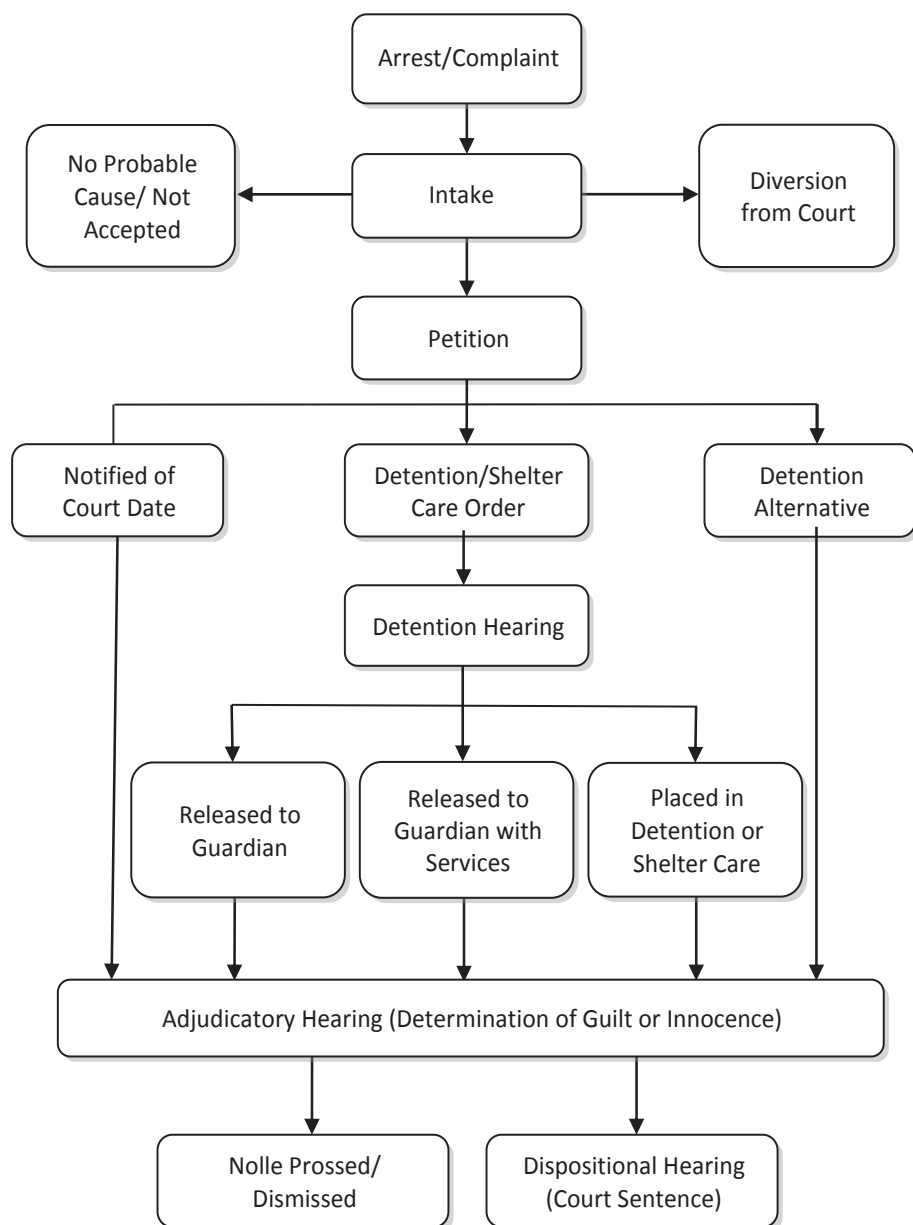
Domestic Relations:

- Family or Household Member Abuse Protective Orders
- Desertion and Nonsupport
- Child Custody, Visitation and Support and Spousal Support
- Petitions for Obtaining Service/Parentage Petitions (Paternity Establishment Petitions)

Other:

- Adult Offenses against a Child, Family or Household Member

FAIRFAX COUNTY'S JUVENILE JUSTICE FLOWCHART



This does not include all situations or outcomes, but is a general outline of the Juvenile Justice process in Fairfax County.

PEOPLE YOU MAY MEET

It is important to know the people you may have contact with and who may be making decisions regarding your child's court involvement.

- **Commonwealth Attorney/Prosecutor:** Tries to prove the criminal charge(s) against your child.
- **Court Appointed Attorney:** If you are not able to afford an attorney, you can request a court appointed attorney at a reduced fee.
- **Diversion Counselor/Hearing Officer:** When a case is diverted from court, a hearing officer will meet with all parties, where appropriate, and impose a sanction. A diversion counselor will meet with you and your child and offer advice.
- **Guardian Ad Litem (GAL):** A trained attorney that a judge assigns to a case. Their role is to consider what is in the best interest of your child when they are in court and to protect their rights.
- **Intake Officer:** All court matters first go to an intake officer who determines if there is probable cause to involve the court.
- **Judge:** Appointed by the Virginia General Assembly and oversees Juvenile & Domestic Relations court cases.
- **Private Attorney:** Everyone involved in the court system has the option to hire their own attorney to represent them in court.
- **Probation Officer (PO):** An officer who manages cases that are before the court. If your child is placed on probation, the PO will monitor compliance with rules and orders. They will advocate for and support you and your child.
- **Public Defender:** An attorney who provides legal aid to people at no cost.
- **Supervised Release Services (SRS)/Outreach Counselor:** Instead of being detained, your child may be supervised by SRS prior to a court hearing (adjudication or disposition).
- **Victim Advocate:** The advocate will meet with victims and attend hearings to meet victims' needs.

THE LEGAL OBLIGATIONS OF YOUR CHILD'S ATTORNEY:

A public defender or private attorney represents the interest of your child. You may disagree with your child, but the attorney will represent their wishes. It is the attorney's responsibility to explain the consequences of their decision.

ADVOCATING FOR YOUR CHILD

You may be angry about the choices your child has made or feel like they are out of control. However, supporting your child is important when your child is involved in the court system. Be there for your child by:

Attending and Arriving on Time for all Meetings and Court Hearings

- Your presence at court hearings is mandatory.
- You are strongly encouraged to attend all meetings. Tell the PO that you wish to be involved in all meetings.
- Answer questions honestly.
- Being active in your child's case lets your child know that you care.

Participating in all Decisions about your Child

- While it may feel uncomfortable, it is important to speak up at meetings to give background information and input about your child's needs.
- Be prepared to give information in court. You may also write letters to the judge before a hearing to express concerns or ideas (please note that anything submitted can be reviewed by other parties).
- You play an important part in developing plans for your child's future.
You are the person that knows your child best!

Building Respectful Relationships with People Involved with your Child

- Speak respectfully with court staff. This is a good example for your child and will help them in the long term.
- It is important to stay calm.
- Write down any questions or concerns that come up
- Ask questions about things you do not understand.
- You will build respect by working with everyone as a team. Working together and communicating with court staff will benefit your child.

Staying Organized

- Ask for copies of any paperwork regarding your child's court involvement. Keep it all in one place.
- Keep a notebook to track names, dates, phone numbers, and conversations with people who you and your child meet
- Use a planner or your phone to track important dates.

WHEN YOUR CHILD HAS BEEN CHARGED WITH AN OFFENSE

The arrest of a child under age 18 may occur when the child is suspected of a criminal offense or if there is an outstanding detention order or shelter care order. If your child is in custody, a police officer or court staff member may call you. To hear this for the first time may be shocking or leave you in disbelief.

How Serious Is It?

After the initial shock wears off, this may be the first question that comes to mind. The seriousness of the offense affects the police or intake officer's actions. Types of charges include misdemeanors (a less serious offense), felonies (more serious in nature), or status offenses (minor child-only offenses). The police officer or intake worker will explain the charge(s) during your intake appointment.

What Next?

In Fairfax County, once a police officer takes a child into custody, they will either release the child to a parent or bring the child to juvenile intake. When released to a parent, the police officer may follow up with juvenile intake to file charges.

When police bring a child to juvenile intake, the intake officer determines probable cause for the charge(s). The intake officer uses assessments and other information to determine how to proceed with the case. The child may be released to a parent/guardian or placed in the Juvenile Detention Center (JDC) or Shelter Care facility.

THINGS YOU CAN DO IF YOUR CHILD IS ARRESTED:

- Understand and support your child's right to be represented by an attorney
- You or your child's attorney may be present during police questioning after arrest
- Your child's attorney may ask you to be present during meetings
- Tell your child to be honest with their attorney
- If your child is detained, contact the facility and ask when you may visit your child
- Provide a working telephone number or other means for the court to contact you
- Return calls as soon as possible

JUVENILE INTAKE

Overview

Police, citizens, parents or families, stores, and government agencies can file complaints against juveniles. An Intake Officer determines probable cause. They decide to either send the case to court or diversion. Both delinquent (criminal) and CHINS—Child in Need of Services/Supervision (non-criminal, “status”) offenses receive intake services.

Delinquency

Criminal offenses are felonies or misdemeanors. The penalties for delinquent offenses are more serious than for CHINS offenses. Law enforcement officers must file a felony charge. Persons, businesses, or family members can be victims of criminal offenses. Offenses may include theft, assault, destruction of property, drug offenses, burglary, and others. As a parent or family member, it is best to contact the police in criminal matters prior to seeking Intake Services.

CHINS

It is important to understand that CHINS cases, known as “status offenses,” are acts prohibited by law. They are not considered a crime if committed by an adult and the juvenile can’t be detained for these offenses. Children who are in need of supervision or services fall into three categories according to the Code of Virginia:

- **Truancy (Supervision):** The School Attendance Officer must become involved when a child has a high number of unexcused absences and makes referrals if there is no improvement. Parents/guardians are encouraged to call the school to discuss concerns about their child’s attendance.
- **Runaways (Supervision):** A child is in need of supervision if they run away from home or a residential facility more than once without permission. An intake officer must decide if the child’s behavior is a threat to his or her life or health. The intake officer also documents past efforts to address the child’s problems. Locating the child is top priority. Contacting the court should be the last option. **Parents/Guardians should always call the police first to report the child as a runaway**
- **Behavior, Conduct or Condition (Services):** A child is in need of services if their behavior or conduct is a serious threat to the safety of themselves or others (if the child is under age 14). If a child’s needs are not met, the court may intervene. A child cannot receive probation for these cases.

If you believe your family needs assistance with a CHINS issue, schedule an appointment with an intake officer. Try to have your child there.

Information that may be helpful during a CHINS appointment:

- Prior community interventions or things you have tried (changing schools, church groups, tutoring, etc.)
- Number of, dates and length of runaways
- History of criminal behavior, drug/alcohol use, or mental health issues
- Prior court interventions

Intake Process

If arrested or charged with a delinquent offense, your child’s case may be referred to Juvenile Intake. Part of the intake process may involve an assessment. An assessment is a series of questions that you and your child will be asked. This information helps the intake officer decide how to handle your child’s case. Intake officers make decisions based on the needs of the child, risk to public safety, and seriousness of the charge.

After the intake meeting, the intake officer may:

- refer your child to community resources or to a diversion program
- file a petition for a formal court hearing
- issue a shelter care order or detention order



Intake Locations:

Central Intake Services

4110 Chain Bridge Rd, Suite 104
Fairfax, VA 22030
Phone 703-246-2495

Appointments available Monday through Friday, 8:00 a.m. to 7:00 p.m. Services are available 24 hours a day, 365 days a year to police with youths in their custody.

North County Intake Services

1850 Cameron Glen Dr, Suite 400
Reston, VA, 20190
Phone 703-481-4014

Monday through Friday,
8:00 a.m. to 4:30 p.m.
by appointment only

South County Intake Services

8350 Richmond Hwy, Suite 119
Alexandria, VA, 22309
Phone 703-704-6004

Monday through Friday,
8:00 a.m. to 4:30 p.m.
by appointment only

East County Intake Services

2812 Old Lee Hwy, Suite 100
Fairfax, VA, 22031
Phone 703-204-1016

Monday through Friday,
8:00 a.m. to 4:30 p.m.
by appointment only

INFORMAL SUPERVISION

Diversions Programs

The Code of Virginia explains that the goal of the juvenile court is to divert appropriate cases to alternative programs while maintaining public safety. Diverted cases typically include minor misdemeanor charges that may be resolved informally. Juvenile Intake Services provides diversion programs so cases can avoid the formal court process. The person filing the complaint must be willing to prosecute if the child fails their diversion.

Diversions eligibility depends on:

- 1) evidence that a crime has been committed,
- 2) the charge(s) is eligible, and
- 3) the child accepts responsibility for their actions.

The intake officer will meet with the child and family to gather information through interviews and to administer two assessments:

- **The Youth Assessment Screening Instrument (YASI):** looks at how likely a child is to commit another crime.
- **The Global Assessment of Individual Needs-Short Screen (GAIN-SS):** Identifies any mental concerns the child might be having such as depression or anxiety and possible substance abuse.

The juvenile intake officer makes recommendations to the family and may encourage participation in treatment programs. After successful completion of a diversion program, the child will not have a criminal court conviction. Types of diversion programs or options include:

- **Diversions Hearing:** A child may attend a Diversion Hearing. During the hearing, a hearing officer, the juvenile, and the parents/guardians discuss the situation. The complainant and victim may also be present at the hearing. The victim may appear in person or provide a written statement. At the end of the hearing, the child receives some type of sanction. Sanctions may include community service, mental health or substance abuse counseling/interventions, or completion of a court-approved program.
- **Monitored Diversion Program:** A child may participate in Monitored Diversion. On monitored diversion, a diversion counselor monitors/supervises your child for a period up to 90 days.
- **Unofficial Counseling:** An intake officer may offer to counsel to your child. This may or may not include a referral to an outside agency such as alcohol and drug services, mental health services, etc.
- **Community Service and/or Victim Impact/Core Values Classes:** Community Service is a way for a youth to do work that will benefit the community. Victim Impact/Core Values Classes focus on teaching a juvenile the consequences of crime through homework and class discussion.
- **Other diversion programs as available**

If your child does not complete the sanctions or recommendations, intake officers may file a petition. Staff may also file a petition if your child receives additional charges during the diversion period. When a petition is filed, it begins the formal court process.

FORMAL COURT PROCESSING

A case enters the formal process when the court receives a petition. This results in your case going before a judge in court. There are five types of hearings requiring mandatory attendance. You may encounter one, a few, or all five:

Advisement Hearing: Staff advises your child of their right to an attorney. You may privately obtain an attorney or have one appointed by the court. Court staff may assess your income to see if you are eligible for a court appointed attorney.

Detention Hearing: At this hearing, the court decides whether, 1) there is evidence to believe that your child has committed a delinquent act, or 2) there is a court order requiring the continued detention of your child pending an adjudicatory hearing (see page 17).

Adjudicatory Hearing: In a criminal case, the Commonwealth Attorney presents facts. They may present evidence and have witnesses testify. Your child's attorney can cross-examine and present evidence. Once both sides have made their arguments, the judge decides whether your child committed the act for which he or she received charges. Your child's attorney explains different pleas and your child has the option of agreeing to one before the hearing.

Disposition Hearing: This may happen immediately after the adjudicatory hearing. The disposition is the same as sentencing. The prosecutor and probation officer (if present) will provide recommendations. The judge will make the final decision based on everything presented, including the charge, the law surrounding the case, and your child's history. Your child will receive some form of consequence if the judge found them to be delinquent.

Certification/Transfer Hearing: For some violent felony cases, there will be a hearing to determine if it is appropriate for your child to be tried as an adult. Some of the most serious charges require mandatory transfer to circuit court.

Your child may have a different attorney or a different judge at other hearings.

HELPFUL COURT LOCATION INFORMATION:

- Juvenile Court is on the 3rd floor of the Fairfax County Courthouse
- Pay fines and pick up court orders at the Post-Court window, Room 302
- Circuit Court is on the 4th and 5th floor for appeals

WHAT HAPPENS AT A DETENTION HEARING?

The Detention Hearing occurs when the police pick up your child and bring them to the Juvenile Detention Center (JDC) or Shelter Care. Detention Hearings occur the next day court is open after your child enters the facility. For example, if your child is picked up on a Friday evening, the detention hearing will be on Monday. Children may only be detained at JDC if age 14 or older.

At a Detention Hearing:

- An attorney will be there to help your child with the process
- The judge will advise you and your child of your rights
- The judge will determine probable cause
- The judge *WILL NOT* decide if your child is guilty or innocent

In general, one of the following will happen:

- Your child may be released to you with or without services
- Your child may remain in JDC or Shelter Care until the next hearing
 - If your child stays at JDC or Shelter Care, the next hearing will be within 21 days
- A detention review may be filed before trial

Your child may be released from JDC or Shelter Care but still need court supervision. If this happens, your child may be released to you and placed on **Supervised Release Services (SRS)** until the next court hearing. If your child is on SRS supervision, he/she must follow rules relating to school attendance, curfews, and substance use. Electronic Monitoring may also be used in addition to SRS. Your child may also receive frequent, unannounced visits by probation officers through the **Intensive Supervision Program (ISP)**. If your child violates any rules while on SRS, he or she may be placed in JDC or Shelter Care until the next court hearing.

Depending on certain crimes and your child's age, it is possible for your child to be charged as an adult and detained in the county jail. You can ask your child's attorney about transferring the case to the juvenile court.

WHAT HAPPENS AT ADJUDICATION AND DISPOSITION HEARINGS?

If found delinquent of a charge, your child will have a disposition hearing. The disposition hearing is like the sentencing phase for adults. Outcomes will vary due to the charge and factors in you and your child's life.

In general, your child is likely to receive one or some combination of the options below¹:

- Community Service
- Intensive Supervision Program (ISP)
- Probation
- Residential Facility Placement
- Restitution

Placement in JDC is also possible for your child. The charge will determine the number of days your child receives. The judge may require them to serve that time immediately (your child will be taken from the courtroom to JDC). The judge may also order suspended time, which means confinement at JDC if they are non-compliant (with probation, services, etc.). The judge may also order your child to spend weekends at JDC instead of all at one time.

Other possible dispositions include:

- **Continued to be Dismissed:** Agreement between your child and the prosecutor that the case will be dismissed after a period (often a year) if your child fulfills the requirements.
- **Deferred Disposition:** Delays trial and can result in a less severe charge, typically after meeting conditions such as probation or substance abuse counseling.

¹ Refer to page 6, Terms used in Fairfax's Juvenile Justice System for complete definitions.

THINGS YOU CAN DO IF YOUR CHILD IS ON INFORMAL SUPERVISION OR PROBATION IN THE COMMUNITY:

- Ask questions about anything you do not understand.
 - You need information in order to participate in the process and best help your child.
- Understand all court-ordered requirements.
 - Help your child comply with all conditions so he or she will not end up back in court
- Be positive. Encourage your child and help them find solutions to problems
- Help your child change behaviors. If you or your child is struggling, ask for help.
- Participate in your child's education.

THINGS YOU CAN DO IF YOUR CHILD IS PLACED OUTSIDE THE HOME:

- Stay in touch with your child
 - Visit, write letters, and take phone calls
 - Contact the facility to find out when you can visit your child
 - Ask the probation department for help if you have transportation issues
- Stay in touch with the people caring for your child
 - Attend meetings
 - Help make decisions about your child when possible
- Be available to make medical decisions for your child
 - You will likely still be the primary decision maker for your child's medical needs
 - Make sure the facility knows who will be making the decisions and the best way to contact you
- Participate in your child's education planning
- Work on an aftercare plan for when your child comes home
 - Work with the facility, probation officer, and school counselors. This will ensure a smooth and successful transition for your child.

A FAMILY'S ROLES AND RESPONSIBILITIES

Parent/Guardian Responsibility during Juvenile Justice Involvement

Sometimes parents/guardians think that the court takes over parenting when their child is involved. This is not true! It is important that you are involved with your child during this process. You will still be responsible for your child's behavior and care, even if the court makes specific decisions about what your child must do. Everyone is a team working toward a common goal of preventing future court involvement. Remember that attendance at all hearings is required. Your participation in treatment services and programs that are ordered is expected. Sometimes your participation may specifically be ordered.

Presence during Police Questioning

You have permission to be present during police questioning of your child. You do not have an absolute right to be there. Police are not required to contact parents/guardians nor get parental permission before approaching and questioning a child about a crime. The child can refuse to answer questions. The child can request that a lawyer or a parent/guardian be present.

Participation in Hearings

Family participation in hearings is important. Ask your child's probation officer or lawyer how you can be involved with your child's hearing.

Participation in Defense

Your child's attorney has the responsibility of representing your child's legal rights. You are free to share information you believe is important with the lawyer. Your child's lawyer cannot share any information with you that your child does not wish to share.

Communication with Juvenile Probation Officers

It is important that you are open and honest with your child's probation officer during their court involvement. This will help ensure that your child is receiving the services they need in order to be successful.

Educational Needs

You have the right to know how your child is doing in school. You have a right to know what grades they are receiving and to communicate with their teachers. Special educational needs will be accommodated. If your child needs individualized education, they may be eligible for an Individualized Education Plan (IEP). Using family feedback, the schools will develop an IEP to meet your child's needs.

Medical Needs

While your child is in the Juvenile Justice System, you remain in charge of their medical decisions until they reach age 18. The exceptions are:

1. Medical decisions (see below) that allow a minor child to give consent
2. When the court is authorizing treatment
3. When a doctor decides it is an emergency
4. If a family refuses to authorize treatment, or cannot be located, the court may authorize medical treatment without family consent

Medical Treatment to which Minors can Consent

In the State of Virginia, a minor is an adult for agreeing to medical or health services needed:

1. To determine the presence of or to treat sexually transmitted diseases or other contagious disease that the State Board of Health mandates reporting
2. In case of birth control, pregnancy or family planning
3. In the case of outpatient care, treatment, or rehabilitation for substance abuse
4. In the case of outpatient care, treatment, or rehabilitation for mental illness or emotional disturbance

Rights When a Child Enters a Residential Facility

The Department of Juvenile Justice regulates all facilities, childcare institutions, and group homes that take in children separated from their parents or guardians for full time care, protection, and/or guidance. Children and families have the right to file grievances if there are problems in the facilities.

IMPACT OF JUVENILE COURT INVOLVEMENT

Your child's record does not automatically disappear when they turn 18. There are several ways to expunge (remove) a record.

- For cases with misdemeanor offenses, records will be destroyed when your child is 19 years or older *and* five years have passed since the date of the last hearing in the case.
- For cases with an offense reportable to the Virginia Department of Motor Vehicles, records remain until your child is 29 years old.
- For cases with felony offenses, records will not be destroyed.

Please speak to your child's probation officer for additional information on expunging your child's record.

Other ways court involvement may impact you and your child:

Depending on the type of charges, your child may...

- not be able to work certain jobs depending on the seriousness of the offense
- have trouble getting a security clearance
- affect your family's ability to obtain or keep living in public housing
- have trouble joining the military
- not be able to buy a firearm or obtain a concealed carry permit
- have his or her driver's license suspended
- be suspended or expelled from school
- be part of a civil case after turning 18 if fines/restitution are not paid
- have to register as a sex offender
- be required to provide a DNA sample to the state

Involvement with the Juvenile Court may...

- affect a child's immigration status
- affect sentencing they receive as an adult

Involvement with the Juvenile Court does not...

- need to be reported on college applications, unless asked
- stop access to federal financial aid
- keep your child from voting in elections

SERVICES AND SUPPORTS FOR FAMILIES

Fairfax County and the Northern Virginia area have many resources and services available to you and your family. Your child's PO will be able to explain the different services related to substance abuse, mental health, anger management, gang prevention and mentoring services, and other services that may be available.

Parent Support Group:

The court sponsors a Parents Support Group coordinated by the court's Central Intake Services. The group meets at the Fairfax Courthouse (4110 Chain Bridge Road, Fairfax) in room 201.1 every Tuesday at 7:30pm. The group is free of charge, is limited to parents and/or guardians, and focuses discussions with intake officers on runaway behavior, truancy, alcohol/drug abuse, and serious behavioral problems at home, school, or in the community. Parents or guardians are welcome to attend whether or not their child is court involved. For further information, contact the Central Intake Unit at 703-246-2495.

Court Services Contact Information

<i>Central Intake Services</i>	<i>Juvenile Detention Center</i>	<i>Shelter Care</i>
4110 Chain Bridge Road Suite 104 Fairfax, VA 22030 703-246-2495	10650 Page Avenue Fairfax VA, 22030 703-246-2844	10670 Page Avenue Fairfax VA, 22030 703-246-2900

Emergencies and Places to Turn:

- *Artemis House* - Shelter for victims of domestic violence
703-435-4940 | <http://www.shelterhouse.org>
- *Capital Area Food Bank Hunger Lifeline* - Emergency food assistance and referral service.
202-639-9770 | <https://www.capitalareafoodbank.org/get-help>
- *Child Protective Services*
703-324-7400
- *Committee for Helping Others* - Help with a variety of financial needs, as well as a food closet, clothing closet, and transportation assistance
703-281-7614 | <https://cho-va.com/wordpress>
- *Domestic & Sexual Violence Hotline*
703-360-7273
- *Fairfax County Human Services Coordinated Services Planning (CSP)*
Short-term, emergency help with basic needs
703-222-0880

- *Food for Others*
703-207-9173
- *Virginia 211*
Information on community resources. Dial 211

Substance Use and Abuse:

- *Alcoholics Anonymous/Narcotics Anonymous* - Phone support and meeting information
703-293-9753 or 1-800-208-8649
- *Fairfax Detox Center (Ages 18+)*
703-502-7000
- *Virginia Alcoholics Anonymous*
703-293-9753

Mental Health:

- *Mental Health Emergency Services and Mobile Crisis Unit*
703-573-5679
- *Community Services Board (CSB)* – Local services for individuals with mental health, substance abuse and developmental disabilities
703-383-8500
- *Suicide Prevention*
Call 1-800-273-TALK or text "CONNECT" to 855-11
- *The Haven* - Free grief counseling
703-941-7000

Homeless Shelters:

- *Bailey's Crossroads Community Shelter*
3525 Moncure Avenue, Falls Church, VA 22041
703-820-7621
- *Eleanor Kennedy Shelter*
9155 Richmond Highway, Fort Belvoir, VA 22060
703-799-0200
- *Embry Rucker Shelter*
11975 Bowman Towne Dr, Reston, VA 20190
703-437-1975

Note: Families with minor children are encouraged to call Coordinated Services Planning (CSP) first (703-222-0880) before contacting shelters. Individual adults may also start the process by first calling CSP to learn about all resources.

Community Nonprofit Service Providers

- *Alternative House* - Emergency Teen Shelter
703-356-6360
- *Catholic Charities* - Individual, couples and family counseling for emotional and behavioral obstacles; limited medication services; occasional groups on special topics; various locations
703-841-2531
- *FAITH* - Help with emergency and temporary assistance in response to a traumatic event or time in life
571-323-2198
- *Jewish Social Services Agency (JSSA)* - Child, adult and family services; services for Autism Spectrum Disorders; educational and neuropsychological testing and advocacy; parenting programs; couples and collaborative divorce programs
703-204-9100
- *Legal Services of Northern Virginia*
703-778-6800
- *Northern Virginia Family Services* - Multicultural services, counseling, and family support available on a sliding fee scale (includes Hispanic Committee of Virginia)
571-748-2500
- *Northern Virginia Mediation Services*
703-865-7272
- *Service Source* - Employment and day support
703-354-0900
- *The Women's Center*
702-281-2657



REFERENCES AND RESOURCES

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Juvenile and Domestic Relations District Courts Informational Pamphlet. Virginia’s Judicial System: 2010. Retrieved from <http://www.courts.state.va.us/courts/jdr/jdrinfo.pdf>

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MORE INFORMATION

For more details about this guide, please visit <http://www.fairfaxcounty.gov/courts/jdr/>

Fairfax County Juvenile and Domestic Relations District Court
 4110 Chain Bridge Road
 Fairfax, VA 22030
 703-246-3367

NOTES:
