



Guide to Court Services

Court Service Unit
of the Fairfax County Juvenile &
Domestic Relations District Court

Information for citizens, employees, volunteers, stakeholders, and others

April 2021



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Welcome to the **Court Service Unit (CSU)** of the Fairfax County Juvenile & Domestic Relations District Court (JDRDC). This guide introduces new employees, volunteers, stakeholders, and the public to the CSU and describes its many services and functions. For more detailed information regarding budgeting, and statistics, please refer to the CSU's [Annual Report](#).

As portions of this Guide were completed prior to the COVID-19 pandemic, please consult with each individual program for possible changes to their processes and services.

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

MISSION

The Court Service Unit provides efficient, effective, and equitable probation and residential services. We promote positive behavioral change and the reduction of illegal conduct for those juveniles and adults who come within the court's authority. We strive to do this within a framework of accountability consistent with the well-being of our clients, families, and the protection of the community.

AGENCY 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.

SECTION 1

OVERVIEW OF THE COURT & COURT SERVICE UNIT

The juvenile court is a statutory court established by the 1950 Code of Virginia. The Court Service Unit (CSU) provides support and enforcement of the court's orders. The relationship between the court and CSU exemplifies separate branches of government working together to meet the needs of citizens and families.

The CSU has the direct responsibility of providing case management services to clients of the Fairfax County JDRDC, with their authority coming from the Code of Virginia in support of the court.

THE JURISDICTION OF THE FAIRFAX JDRDC INCLUDES



- Fairfax County
- City of Fairfax
- Town of Herndon
- Town of Vienna
- Town of Clifton

THE FAIRFAX COUNTY JDRDC HANDLES CASES INVOLVING JUVENILES

- accused of delinquent acts, traffic violations, and status offenses (truancy, runaway)
- in need of services or supervision
- who have been abandoned, abused, or neglected
- involved in custody, support, visitation, or paternity cases; or
- seeking emancipation.



THE JDRDC ALSO HEARS CASES WHERE

- family or household members have been subjected to or accused of abuse
- adults are accused of abusing or neglecting a child
- protective orders are needed
- custody and support orders need to be enforced
- supervision of adult offenders is required (through Community Corrections Services and the Alcohol Safety Action Program).

RELATIONSHIPS & RESPONSIBILITIES

The Court Service Unit (CSU) has significant relationships with both state and county organizations.

STATE ORGANIZATIONS

JUDGES

- appointed by the General Assembly to serve six-year terms
- currently there are eight judicial appointments
- judges select a Chief Judge every two years

COURT CLERKS

- Clerk of Court supervises the State clerks
- State Clerks process paperwork, manage the docket, assist Judges in the courtroom

DEPARTMENT OF JUVENILE JUSTICE (DJJ)

- reimburses Fairfax County for portions of staff salaries
- provides partial funding for community-based programs
- CSU falls under DJJ's regulatory authority

Major administrative decisions are made jointly by CSU Administration, the Judiciary, and the Clerk of Court.

COUNTY ORGANIZATIONS

HEALTH AND HUMAN SERVICES (HHS)

- CSU is a HHS agency with the CSU Director reporting to the Deputy County Executive

OTHER HUMAN SERVICES AGENCIES

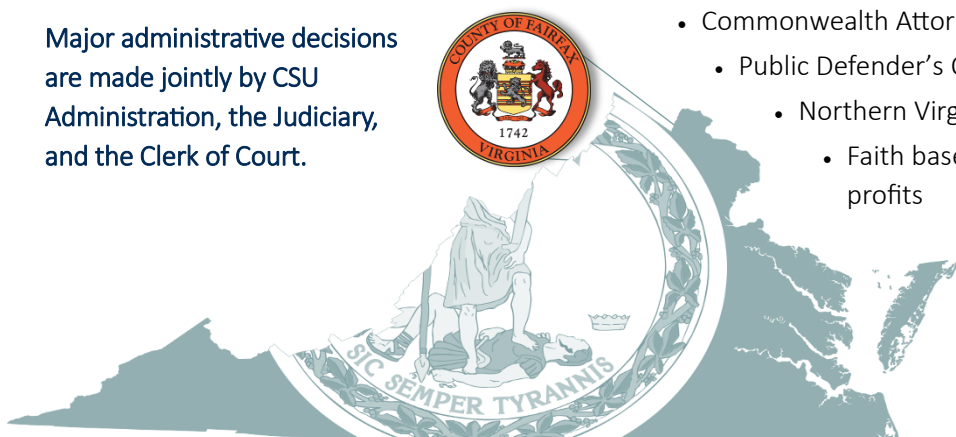
- Department of Family Services and Child Protective Services workers are frequent petitioners in cases before the court
- Community Service Board staffs the CSU's Juvenile Forensics Program

FAIRFAX COUNTY PUBLIC SCHOOLS (FCPS)

- collaborates with the CSU in operating and supporting school programs for juveniles in residential facilities and alternative schools for those unable to benefit from typical public schools
- court staff works closely with [School Court Probation Counselors](#) (FCPS employees) and [School Attendance Officers](#) (www.fcps.edu)

OTHER ESSENTIAL PARTNERS

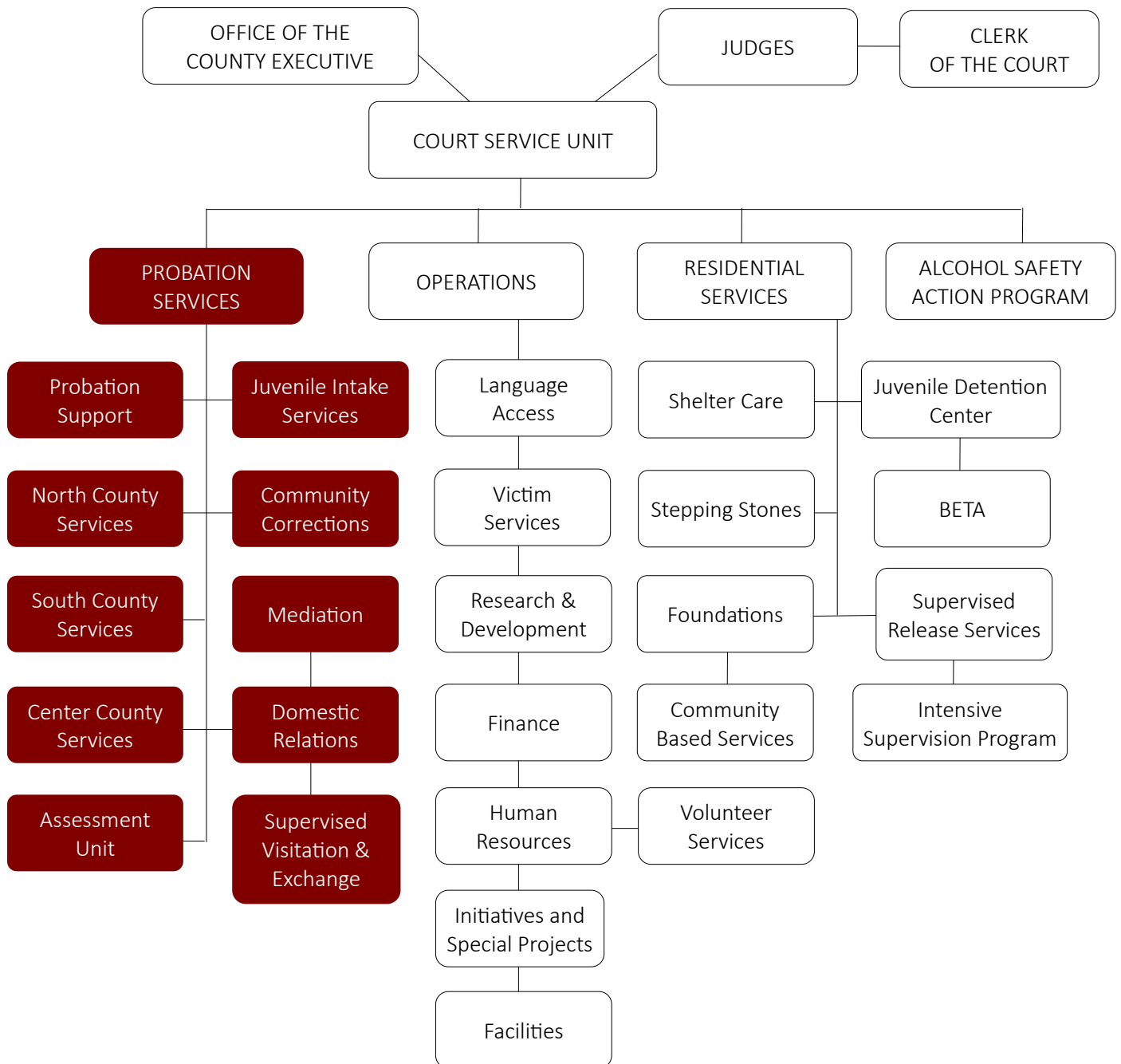
- Fairfax County Police Department
- Commonwealth Attorney's office
 - Public Defender's Office new juvenile division
- Northern Virginia Family Services
 - Faith based organizations and non-profits



SECTION 2

JUVENILE INTAKE & PROBATION SERVICES

In addition to providing a range of community-based services to juveniles, the CSU is also responsible for the **Juvenile Intake Unit** of the JDRDC. Juvenile Intake falls under the **Probation Services Division** of the CSU.



JUVENILE INTAKE SERVICES

Juvenile Intake provides services for delinquent (criminal) and CHINS-Child in Need of Services/Supervision (status) offenses. Criminal offenses are identified as misdemeanors and felonies. Felony charges are more serious and should first be discussed with police. Status offenses are matters involving truancy, runaways, and behavior/conduct and wouldn't be a crime if committed by an adult.

The legal process typically begins at

Juvenile Intake Services

Complainants meet with an **Intake Officer** who determines if there is sufficient evidence to establish **probable cause** and makes decisions regarding court and diversion.

Part of the intake process may involve an **assessment**. The parent and child answer questions and the information provided helps the intake officer decide how to proceed with the child's case.

- A **Detention Assessment Instrument (DAI)** is used to help determine if a youth should be detained, referred to a detention alternative program, or released to parents.

At the conclusion of the intake meeting, the intake officer determines if a youth should be:

- referred to a community resource or diversion program
- released to parents—sometimes with conditions, such as house arrest
- detained—placed in the Juvenile Detention Center or Shelter Care.

Intake Officers make their decisions based on:

- seriousness of the charge
- needs of the child
- risk to public safety
- laws & policies



Complainants can be

- Business Owners
- School Personnel
- Parents
- Police
- Victims
- Other Citizens



Is there Probable Cause?

Based on the evidence, it is more probable than not that a crime was committed and it was committed by the accused.



no

May provide

- referrals to other agencies or services
- counseling

yes

Is the Case Eligible for Diversion?

Intake officers have the authority to divert cases from the legal process based on certain criteria.

no

Are there Sufficient Grounds to Schedule a Case for Court?

yes

yes

Juvenile does not appear in front of a judge, but receives an informal sanction:

- Diversion Hearing
- Core Values



Intake officer completes a **Petition** to initiate formal court action. In some cases, a **Detention Order or Shelter Care Order** is also issued instructing police to take the youth into custody.

Each time a juvenile's case is brought to the office it is considered an **Intake**:

- Each intake may result in multiple **complaints** (charges)
- Each charge receives a separate petition

DIVERSION

Virginia Code §16.1-227 states: the purpose and intent of the juvenile court is to divert (from the courtroom), when possible, consistent with the protection of public safety, those cases that can be handled through alternative programs.

Diverted cases typically include misdemeanor (minor) charges that may be resolved informally. For a case to be diverted from the formal court process the following must be true:

- there is **evidence** (or probable cause) that a crime has been committed
- **charge** is not a violent felony
- **juvenile** must accept responsibility for his or her action
- **juvenile** must not have been diverted previously for a felony offense
- **family** must be willing to participate in treatment programs or sanctions deemed appropriate by the hearing officer or diversion counselor.

Using screening tools to assess both the juvenile's risk to re-offend and his or her needs, the most appropriate form of diversion is determined:

DIVERSION HEARING

- Hearing officer, juvenile, and parent discuss the situation. Complainant and victim may also be present, or victim may choose to submit a written statement. At the conclusion, the juvenile receives a sanction which may include: community service, mental health or substance abuse counseling/interventions, or completion of a court-approved program .

CORE VALUES

- Class that focuses on teaching a juvenile the consequences of crime through homework and class discussion

A court **petition** may be filed for non-compliance if the diversion program fails or if the child receives new charges. After successful completion of a diversion program, the child does not have a criminal court conviction.

PARENTS SUPPORT GROUP

Juvenile Intake coordinates a group that focuses discussion among parents and Intake Officers on issues such as runaway behavior, truancy, alcohol/drug abuse, and serious behavioral problems. The group is free and parents are welcome to attend whether or not their child is court involved. Meetings are held on Tuesdays at 7:00pm. For more information, call 703-246-2495.

INTAKE SERVICES LOCATIONS

CENTRAL INTAKE SERVICES

- Fairfax Courthouse
4110 Chain Bridge Road, Suite 104
Fairfax, Virginia 22030
Phone: 703-246-2495

Monday through Friday, 8 am to 7 pm
and 24 hours a day to police officers
with youths in custody

SOUTH COUNTY SERVICES

- 8350 Richmond Highway, Suite 119
Alexandria, Virginia 22309
Phone: 703-704-6004

Services available by appointment only
Monday through Friday, 8 am to 4:30 pm

NORTH COUNTY SERVICES

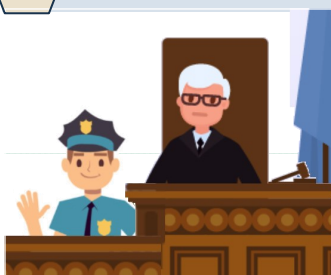
- 1850 Cameron Glen Drive, Suite 400
Reston, Virginia 20190
Phone: 703-481-4014

Services available by appointment only
Monday through Friday, 8 am to 4:30 pm

ORDER OF JUVENILE HEARINGS

If the Intake Officer finds probable cause and Diversion is not an option, or a juvenile is non-complaint, the juvenile may be petitioned to court.

1 DETENTION HEARING



If detained or apprehended by police, a juvenile will have a **Detention Hearing** the next day court is open. An attorney is appointed to represent the juvenile and a probation officer gathers information from the juvenile, parents/guardian, and school personnel. After reviewing the juvenile's record and facts of the case, the probation officer presents a recommendation to the judge. The judge may decide that, pending further hearings, the juvenile:

- remains in custody
- is released to a detention alternative program
- is released under certain conditions

2 ADVISEMENT HEARING



Youth not in custody and parents/guardians come to court to watch a video outlining the **right to legal counsel**. (Detained youth are advised of their rights at the Detention Hearing.) They then decide if they want to:

- hire an attorney
- waive their right to an attorney
- determine if they qualify for a court-appointed attorney

Receiving this information prior to the trial date reduces the number of continuances.

3 ADJUDICATORY HEARING

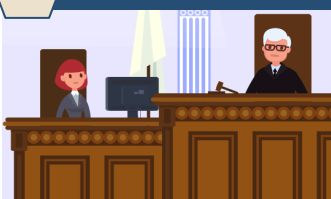


Similar to a **Trial** in adult court, but there is no jury. If the judge finds the juvenile guilty, the case may be continued for the judge to gather information before determining what corrective measures to take.

At this hearing, juveniles are entitled to:

- have a lawyer present
- subpoena witnesses to appear on their behalf
- cross-examine anyone testifying against them

4 DISPOSITION



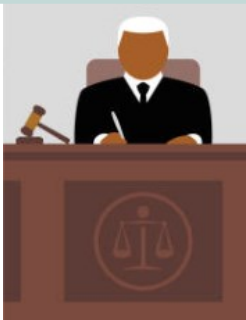
Similar to **Sentencing** in adult court. Judges may order many different dispositions in a delinquency case, such as:

- probation supervision
- services or programs

OTHER HEARING TYPES

Juveniles (14 years of age and older) who are charged with serious offenses may have their case transferred to Circuit Court. If found guilty, the juvenile may receive the same penalties as an adult for the same offense. The process for determining whether or not a juvenile should be tried as an adult is referred to as the **certification process**

PRELIMINARY HEARING



Before a case can be transferred to the Circuit Court, a **Preliminary Hearing** is held in the Juvenile Court to establish probable cause. This process differs from a Detention Hearing in that the defendant's attorney can confront and cross-examine witnesses.

If probable cause is found, the case is handled as follows:

- *Serious felonies: murder, aggravated malicious wounding, abduction, rape, robbery, or forcible sodomy* are transferred to Circuit Court
- *Other felonies (not mentioned above)* will have a **Transfer Study** prepared by the probation department to address the juvenile's age, mental capacity, prior record, seriousness of offense, school records, and appropriateness and availability of services and dispositional alternatives in the adult and juvenile justice systems.

TRANSFER HEARING



Held to review the **Transfer Study** and to hear any evidence and arguments before the court determines whether the case should be transferred to the Circuit Court or remain with the Juvenile Court.

APPEAL



If found guilty in **Juvenile Court**, the case may be appealed to the **Circuit Court** within ten days of the final order.

If the case is appealed, the defendant is:

- entitled to a new trial in Circuit Court
- considered innocent until found guilty by that court.

EMERGENCY EVALUATIONS

A judge or CSU staff member may refer a juvenile to a court psychologist for an **emergency evaluation** to decide if he or she needs to be hospitalized in a mental health facility. Hospitalization may be needed if the juvenile is exhibiting symptoms of severe depression, hallucinations, delusions, bizarre behavior, or suicidal ideations, attempts, or threats. A court psychologist completes the evaluation within 24-hours. If it is after-hours or there is an immediate need, **Merrifield Emergency Services** will conduct the evaluation. Emergency services is part of the Merrifield Center for Community Mental Health--a county operated mental health center.

If the evaluation warrants, a juvenile under age 14 may be hospitalized with parental consent. Juveniles who are 14 years and older who refuse hospitalization may be subject to commitment proceeding.

COMMITMENT HEARING



At a commitment hearing a special justice determines if the juvenile should be committed to a mental health facility.

Virginia Code §16.1-275 allows a juvenile to be hospitalized for ten days in a mental health facility to receive further diagnosis and treatment recommendations.

COMPETENCY TO STAND TRIAL



If it is believed that a juvenile lacks the capacity to understand the court proceedings, a competency evaluation may be ordered.

- If the evaluator determines that the juvenile is incompetent but restorable to competency in the future, services may be ordered for up to three months
- After three months, a new hearing must be held
- If found incompetent and likely to remain so, the juvenile may be provided services, hospitalized, or released

ASSESSMENT SERVICES UNIT

Assessors compose pre-dispositional reports for youth adjudicated delinquent. Using evidence-based assessments, each youth's strengths and needs are identified and used to make fair and equitable dispositional recommendations to promote successful outcomes.

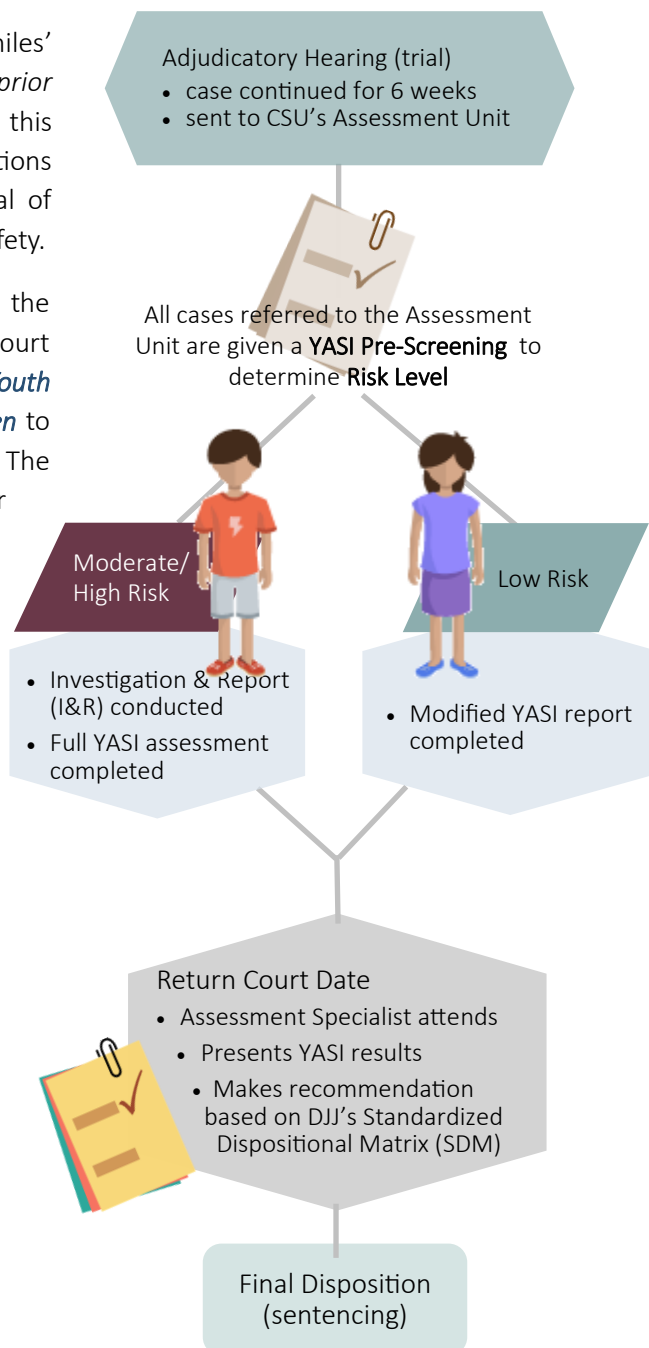
The Assessment Services Unit (ASU) assess juveniles' risk level (risk to reoffend), strengths, and needs *prior* to the disposition hearing (see page 9). During this process the CSU provides tailored recommendations to address specific areas of need with the goal of reducing recidivism and increasing community safety.

Cases are referred to the ASU during the Adjudicatory Hearing (trial phase) of the court process. Assessment Specialists conduct the **Youth Assessment Screening Instrument (YASI) Pre-Screen** to determine the juvenile's risk level. The screening results determine if further assessments are needed.

During the assessment process, an Assessment Specialist meets separately with the juvenile and parents/guardians to gather information about the offense, family history, decision-making skills, etc. A **trauma screen** and **drug screen** will also be conducted as part of the assessment. The length of the interview is about 2 hours and accommodations are made as necessary. (i.e.: interpreter, meeting location, etc.).

Juveniles referred to the Assessment Unit:

- are not already under the supervision of a probation or parole officer
- have been charged with a Class 1 Misdemeanor or Felony
- may have a Possession of Marijuana charge
- should also have a Psycho-sexual Evaluation ordered if charged with a sex offense.



ASSESSMENTS & REPORTS

The CSU uses assessment tools to ensure consistent and equitable treatment of clients. These tools help staff make informed decisions about clients' needs and treatment levels.

YOUTH ASSESSMENT & SCREENING INSTRUMENT (YASI)

The first assessment conducted by the Assessment Unit is a *YASI Pre-Screen*. These results determine which additional assessments are needed.

A *Full-Scale YASI Assessment* is given to youth who score a moderate—high risk level on the Pre-Screen. The **Full-Scale YASI** assesses for risk and protective factors over ten domain areas. The final assessment report provides a measure of the youth's risk to reoffend (overall, static, and dynamic) and a measure of protective factors (overall, static, and dynamic) that assist in buffering risk. The final assessment outcomes are used as part of the *Investigation & Report (I&R)*. The length and type of report can vary based on the assessment results.

The YASI assesses for risk and protective factors over 10 domain areas:

1. legal history
2. Family
3. School
4. Community/peers
5. Alcohol/drugs
6. Mental health
7. Violence/aggression
8. Attitudes
9. Skills, and
10. Use of free time/employment

- YASI findings
- offense information
- victim impact statement (if applicable)
- juvenile's home and neighborhood
- trauma screening,
- service needs & availability
- possible funding sources & outcomes of previously received services
- strengths & weaknesses of the juvenile & family members.

The final section of the report provides recommendations to the Court regarding::

- community protection
- personal accountability
- competency development.

The I&R must be filed with the court at least 72-hours prior to the dispositional hearing. This allows the parties to review the report and discuss it with the probation officer. At the dispositional hearing, the juvenile and defense attorney or Commonwealth's Attorney may address questions to the probation officer in connection with the contents of the report.

INVESTIGATION & REPORT (I&R)

The court might refer a juvenile's case for an Investigation and Report (I&R) before final disposition. A probation officer speaks to the juvenile, parents/guardians, school officials, and other service providers to gain information on the youth, family, offense circumstance, and offer recommendations for disposition.

The final I&R details:

OTHER REPORTS

A *Social History* is similar to the I&R. State standards require that this report be written within 60 days after a juvenile is placed on probation. A *Transfer Study* is written when the Commonwealth's Attorney moves the court to transfer a juvenile's case to the Circuit Court for trial. See "Other Hearing Types."

JUVENILE PROBATION SERVICES

The Code of Virginia requires all juvenile & domestic relations district courts to provide probation services.

The duties of a probation officer are varied, range across a wide philosophical spectrum, and reflect the underlying purposes of juvenile law. They provide activities designed to:

- treat, rehabilitate, and redirect behavior
- strengthen families
- protect the community
- impose consequences
- hold juveniles accountable for their actions

CASE PLANNING

In most cases, when placed on probation for the first time, a youth will have a **Youth Assessment Screening Instrument (YASI)** and an **Investigation & Report (I&R)** completed prior to disposition. The probation officer works with the client and parent/guardian to:

- identify risk and need areas as well as strengths of the youth based on the YASI
- develop a Case Plan to develop goals to work on during the period of supervision
- reassess the client's YASI every 90 days
- update the Case Plan to account for progress or determine if there are additional areas to address.

SUPERVISION & MONITORING ACTIVITIES

A probation officer provides supervision to youth assigned to his or her caseload. This includes:

- monitoring the youth's adherence to probation conditions designed to meet the unique needs of the client
- monitoring compliance with court orders

Youth may be supervised in the community or in a residential placement. A youth's supervision level is determined by the YASI Risk Level and the client is contacted according to that level. There are three levels of supervision:

- Maximum (very-high and high risk youth)
- Medium (moderate-high and moderate risk youth)
- Minimum (low-moderate and low risk youth)

Probation follows the **Balanced Approach** to juvenile justice incorporating:

- **Competency Development**—developing a youth's ability to become a capable member of the community by increasing his or her skills, knowledge, and abilities
- **Accountability**—youth learning his or her obligation to the victim and the community and assuming responsibility for an offense
- **Community Safety**—youth's responsibility in changing his or her behavior and not re-offending, thus making the community safer

Probation officers utilize a **Graduated Response** model for supervision:

- if a client complies with probation conditions or court orders, incentives are implemented
- if a client is non-compliant, informal sanctions may be used.

Probation officers work to reduce risk and increase protective factors through the use of **Evidence Based Practices (EBPs)**. One example is the **Effective Practices in Community Supervision (EPICS)**. This approach consists of a 4-point structured meeting: check-in, review, intervention and homework. During each EPICS session POs use a cognitive behavioral intervention to build competencies and improve problematic behavior.

CASE MANAGEMENT ACTIVITIES

The probation officer accesses services that may benefit the client and family. This may include evaluations that will assist in case planning such as:

- psychosexual evaluations
- psychological evaluations
- mental health and/or substance abuse evaluations

Clients may be referred to services such as:

- individual counseling
- family counseling
- mental health treatment
- substance abuse treatment
- home-based services

These services may be provided through:

- client's private insurance and providers
- JDRDC's contracted services
- Children's Services Act (CSA)
- public services

Probation officers collaborate with service providers to ensure that the client and family's needs are met.

Direct services are provided utilizing a variety of counseling techniques. Probation officers are trained to intervene in crisis situations. They provide information about the court's procedures to clients and families and make dispositional recommendations in court.

When the court places a juvenile on probation, the case is referred to one of three probation services units:

SOUTH COUNTY SERVICES

- 8350 Richmond Highway
Suite 119
Alexandria, Virginia 22309
Phone: 703-704-6004

NORTH COUNTY SERVICES

- 1850 Cameron Glen Drive
Suite 400
Reston, Virginia 20190
Phone: 703-481-4014

CENTER COUNTY SERVICES

- 4000 Chain Bridge Road
Suite 2200
Fairfax, Virginia 22030
Phone: 703-246-6500

PAROLE SERVICES

Following a juvenile's commitment order, the case is transferred to a CSU Parole Officer or retained by the committing Probation Officer for the duration of services.

WHAT DOES IT MEAN WHEN SOMEONE IS "COMMITTED" BY THE COURT?



When a juvenile is committed, or under a commitment order, the juvenile's custody is transferred to the Department of Juvenile Justice (DJJ) and the juvenile is placed in a Juvenile Correctional Center (JCC).

Probation Officers may recommend **commitment** when a juvenile has been found guilty of a serious offense, has a serious offense history, or has failed to respond to treatment and supervision in the community.

Parole Services are divided into two main phases:

DIRECT CARE

- services that begin when the juvenile is committed and continuing through the juvenile's time in the JCC

COMMUNITY SUPERVISION

- services that occur after a juvenile has returned home (to the community)

TRANSITIONING TO DJJ CARE

When a juvenile is transferred into Direct Care (under DJJ supervision at a correctional facility), he or she is transferred to the **Central Admissions and Placement (CAP) Unit** with appropriate documentation.

Within the **Direct Care** phase, there are three stages:

1 Orientation begins in the community at the time of commitment and continues through the juvenile's stay at the CAP Unit where a comprehensive assessment and case staffing are completed. The parole officer and DJJ staff members exchange information to assess and prioritize the juvenile's treatment and service needs and facilitate an appropriate placement.

2 Placement begins when the juvenile is transferred from CAP to a JCC. The re-entry or **Community Placement Program (CPP)** phase continues up to the juvenile's anticipated release date, based on the calculated length of stay. Communication between the parole officer and JCC pre/re-entry personnel is essential to develop a continuum of services from placement through release on parole. The parole officer also works with the parents/guardians during this time to access and develop aftercare placement plans.

3 Discharge from Direct Care begins prior to the juvenile's release and overlaps with the conclusion of the placement phase. Preparation begins for reintegration in the community.

Ongoing monthly communication between JCC/ CPP/re-entry personnel, the family, and parole officer is essential to ensure that the juvenile completes the program, determine the need or appropriateness of a step-down program, and to ensure that necessary community services are available. This includes a school re-enrollment plan and, if needed, a mental health transitional services plan.

COMMUNITY SUPERVISION

The community supervision phase is the final component of the entire parole supervision process. It brings together all the preceding efforts and completes the reintegration of the juvenile into the community.

Drawing upon the experiences, progress, and challenges of the other phases, the full resources of the community come together in meeting the objectives and needs of the juvenile and family. This requires the experience, skill, and commitment of the parole officer.



RELEASE FROM PAROLE

The **Parole Supervision Matrix** is a guideline that suggests the level and location of contacts, and duration of a juvenile's parole supervision. Release from parole at the minimum suggested duration should serve as an incentive. Juveniles who have achieved reasonable progress in meeting the specific objectives of their parole services plan and have successfully abided by the parole rules should typically be considered for release after the specified duration of supervision. The general rule is that juveniles who reach and maintain Level

- 1 Parole Supervision for at least two consecutive months should be considered for release. Extension of the supervision period should occur in response to poor compliance, which serves as an additional form of sanction and control.

COURT-SCHOOL EDUCATIONAL PROGRAMS

The CSU and the Fairfax County Public School System (FCPS) jointly operate alternative schools for probationers who have experienced behavioral problems in school, have been truant, or have not been successful in the traditional school setting. The CSU provides the facilities and the school system provides teachers, books, and supplies.

- **Hillwood School**, located in Merrifield, can accommodate twelve students
- **Gunston School**, located at South County Services, has the capacity for ten to twelve students
- **Sager School**, at the Historic Courthouse, can accommodate up to fifteen students



PROGRAM OPERATIONS

Probation Officers refer prospective students to one of the court-school programs and forwards informational materials about the student to a teacher. The teacher reviews the material, interviews the student and parents, and determines whether enrollment is appropriate. Juveniles must be between the ages of 14 and 17 to be eligible and transportation must be arranged by the student's parent or guardian.

Teachers design individualized educational plans to meet each students' educational need. Individual and small group instruction is offered. Probation Officers support the program by monitoring the student's attendance and academic progress and assist with any behavioral difficulties. After one year in the program, some students may return to their base schools, obtain a traditional high school diploma, or enroll in a vocational or adult education program.

FCPS also provides teachers for the Juvenile Detention Center and for the CSU's other residential facilities.

There are several court alternative schools that offer specialized programming:

- **Independent Student Program (ISP)** is designed for students who need five or less classes to earn their high school diploma
- **GED Readiness Program** helps students to improve their skill level and prepare for the GED
- **Transition Support Resource Center (TSRC)** is a short-term intervention program lasting one semester to one year. The focus is to improve the students' academic performance and assist with a successful re-entry into their next educational placement. The TSRC, located at the Historic Courthouse, exclusively serves students in grades 7-12 who have been deemed a safety and security risk to other students.
- **GRANTS (GED) Program** provides an opportunity for students to take the GED test, receive career education, and learn skills to improve their work place behavior.

DOMESTIC RELATIONS

Providing intake services for domestic relations cases, mediation and supervised visitation and exchange services.

The Goals of the Domestic Relations Unit are to Assist Clients :

- explain court processes, procedures, and available remedies
- assist in getting documents prepared for filing in the clerk's office
- promote an agreeable resolution of custody and support disputes
- support victims of family abuse
- provide appropriate resources and referrals.



INTAKE SERVICES

Domestic Relations (DR) provides intake services for cases involving:

- paternity
- custody and visitation
- child and spousal support
- family abuse
- abuse involving a minor.

Intake officers explain the court process, prepare petitions, and make referrals to other services.

CHILD CUSTODY/VISITATION AND SUPPORT CASES

Intake officers assist both the court and clients by:

- reviewing prior court orders and divorce decrees (in support cases)
- determining the appropriate jurisdiction to file
- identifying the necessary parties to a case
- explaining the hearing process and the process for transferring cases from other locations in Virginia

- assisting with filing new petitions or modifying an existing order
- assisting with registering support orders from other jurisdictions with the Fairfax County JDRDC
- assisting with requests to modify out-of-state orders.

In **Custody/Visitation Cases**, clients **MUST** provide the intake officer with:

- legal names & current addresses of mother, father, and other family and friends who are interested parties;
- all addresses where the child(ren) has lived for the past five years;
- names & current addresses of persons with whom the child(ren) has lived.

After filing a **petition**, all parties (including children 12-years-old and older) receive a **summons** to appear in court for a **Status Hearing**. Prior to the Status Hearing, the parties (in appropriate cases) are referred to **Mediation** (see page 22) to try and resolve their issues.

If the parties are not in agreement, the case is set for a trial date. At **Trial**, the parties present their cases and supporting evidence and the judge issues an order.

In **Custody/Visitation and Support Cases**, either party can meet with an intake officer to:

- enforce a court order by filing a motion for a show cause rule asking the judge to hold the other party in contempt of court, or
- ask the judge to modify a court order by filing a petition if there has been a significant change in circumstances

In **Support Cases**, the judge will request information from the petitioner regarding the incomes of both parties. Support will generally be awarded in accordance with the Virginia Code § 20-108.2 child support guidelines.

FAMILY ABUSE

The Virginia Code defines family abuse as:

“any act involving violence, force or threat, including any forceful detention resulting in bodily injury and is committed by a person against the person’s family or household member.”

A family or household member can include:

- husband, wife, ex-husband, ex-wife, parents, step-parents, children, step-children, brothers, sisters, half-brothers, and half-sisters *whether or not they reside in the same house*

- grandparents, grandchildren, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law *living in the same house*
- persons with children in common
- current or former cohabitants (persons who have lived together as if a married couple in the last 12 months) and any children belonging to either of them and residing in the home

Intake officers are authorized to assist clients seeking protective orders in **Family Abuse** cases and in all protective order cases brought on behalf of a juvenile or against a juvenile.

Preliminary Protective Orders and

Protective Orders are designed to protect an individual from the violence of another.

Preliminary Protective Order:

temporary order, issued for a period of approximately 15 days, until a court hearing is held with both parties present

Protective Order:

brought before the court solely on the affidavit or testimony of the alleged victim.



When **Family Abuse** is alleged, the intake officer prepares a **petition** and supporting documents for the **Preliminary Protective Order** and a **Protective Order**.

There are two avenues for requesting the court to grant a **Preliminary Protective Order**, either in person in front of a judge, or in writing. In both cases, the petitioner must indicate that there is an immediate and present danger of abuse or that family abuse recently occurred. The judge will grant or deny the **Preliminary Protective Order** but, in either case, in 15 days a full hearing is held with both parties present.

At the full court hearing, the judge will hear evidence from both sides. The alleged victim brings evidence to this hearing, including witnesses, photos, and medical reports. The judge will either grant or deny the **Protective Order** at that time. Protective Orders may require various remedies to enhance the petitioner's safety. This order may be entered for a period of up to two years.

A **Protective Order** may include any of the following terms:

- prohibit acts of family abuse
- prohibit contact between the parties, or prohibit the respondent from contacting other household members
- grant exclusive possession of the residence to the complainant
- order the abuser to not shut off utilities (and restore utilities, if applicable)
- grant temporary possession or use of a vehicle jointly owned by the parties to the complainant

- require that the respondent provide suitable alternative housing for the complainant and any other family or household member
- require the respondent to participate in treatment, counseling, or other program
- provide for temporary custody or visitation of a minor child or temporary child support.



SERVICE REFERRALS

Clients are offered the opportunity to meet with a **Domestic Violence Action Center (DVAC)** advocate to discuss safety planning and obtain referrals to other resources, such as the local women's center and other emergency and long-term housing options.

Clients seeking a Protective Order are provided information about the pro bono legal services provided by **Legal Services of Northern Virginia (LSNV)**. Intake officers make the referral for interested clients and supply LSNV with copies of the protective order paperwork.

CHILD CUSTODY/VISITATION REPORT

Intake officers also complete custody investigations for court referred local and out of jurisdiction cases.

MEDIATION

Meeting with an impartial person whose role is to assist the parties in resolving their dispute. Parties are encouraged to work together to create an agreement that is in the best interests of their family.

PROCESS

1 Parties Inquire about an Issue - Domestic Relations, Suite 200

- Intake officer conducts pre-screening and collects documents (prior orders, birth certificates, photo id)
- parties receive information on the Mediation process (takes place within 30 days of filing petitions)
- petitions and documents prepared and typed up



2 Parties file Petitions - Pre-Court Window, 3rd fl

- pre-court gives client a Standing Order for Mediation, notice of a Status Hearing (set two months from the date of filing) and an order requiring the parties to appear for a Mediation Orientation

3 Client Returns with the Paperwork - Domestic Relations

- contact information is verified for both parties and intake documents are collected
- clients provided with the name and phone number of their assigned mediator

4 Parties notified of Mediation Date

- within 48 hours, assigned mediator notifies both parties (by email, phone & mail) that petition was filed, mediation order is issued, and date & time the case is scheduled for Mediation.



5 Mediation is Conducted - Juvenile Intake, Suite #102

- If an agreement is reached, mediator prepares a Consent Order which reflects the agreement
 - agreements may address legal and physical custody and may include detailed visitation schedules
 - if support is addressed, mediator calculates amount according to Virginia guidelines.
- completed packet is submitted to Judge for review and signature

6 Status Hearing

- any clients who did not attend Mediation or did not reach an agreement will be referred to a duty mediator to complete Orientation and Mediation
- if only one party is present, that party is sent on to the Status Hearing

STRONGER TOGETHER: SUPERVISED VISITATION & EXCHANGE PROGRAM

Offers the opportunity to build healthier and safer relationships between parents and children.

Domestic Relations operates a **Supervised Visitation and Exchange** center that provides families with the opportunity to maintain consistent, safe contact between children and a non-custodial parent. The program provides a secure, child-friendly environment where non-custodial parents can visit with their children. The program also offers monitored virtual visitation options and provides safe exchange services. All services allow for contact between parents and children without direct contact between adults who are experiencing conflict or safety concerns.

The center is located in the Historic Courthouse and all visits must be pre-arranged. The general schedule is as follows:

Supervised Visitation

- Sundays
- Mondays
- Thursday
- Friday
- Saturdays



Monitored Exchanges

- Holidays in addition to regular visitation days

Virtual Visitation

- 7 days a week but must be scheduled in advance

Stronger Together is available to families who have been ordered to participate by a Fairfax County judge. Families typically are experiencing:

- domestic violence,
- child abuse or neglect,
- substance abuse,
- criminal charges,
- parenting concerns,
- high conflict separations,
- housing insecurity, or
- mental health problems.

These negative experiences may present challenges when a parent is meeting with a child in the center. In some cases, center staff also provides support for parents being introduced or reintroduced to a child after an extended absence.

In addition to visitation and exchange services, the program offers parenting support, education, and referrals to other county services.

COMMUNITY CORRECTIONS SERVICES

This unit serves adults within the JDRDC who have been placed on probation.

Community Corrections Services (CCS) supervises most misdemeanor cases where an adult is the perpetrator and a child, family, or household member is the victim. Most CCS cases involve interpersonal violence. On occasion, CCS will receive a juvenile case because a child turns 18 in the midst of their court proceedings.

SUPERVISION

CCS Probation Officers meet with clients at their first appointment to make sure that they understand the requirements of. They conduct assessments and provide information regarding non-court-ordered resources, if needed.

CCS probation officers meet with probationers at least monthly to:

- monitor their activities,
- assess treatment and service needs,
- tailor service plans to meet those needs, and
- monitor participation in court-ordered treatment or services.



SERVICES

CCS works closely with domestic violence/batterers intervention programs located within the County:

- **Anger & Domestic Abuse Prevention & Treatment (ADAPT)**, Office for Women & Domestic & Sexual Violence Services;
- **Opportunities, Alternatives and Resources (OAR)** of Fairfax; and
- **Northern Virginia Family Services.**

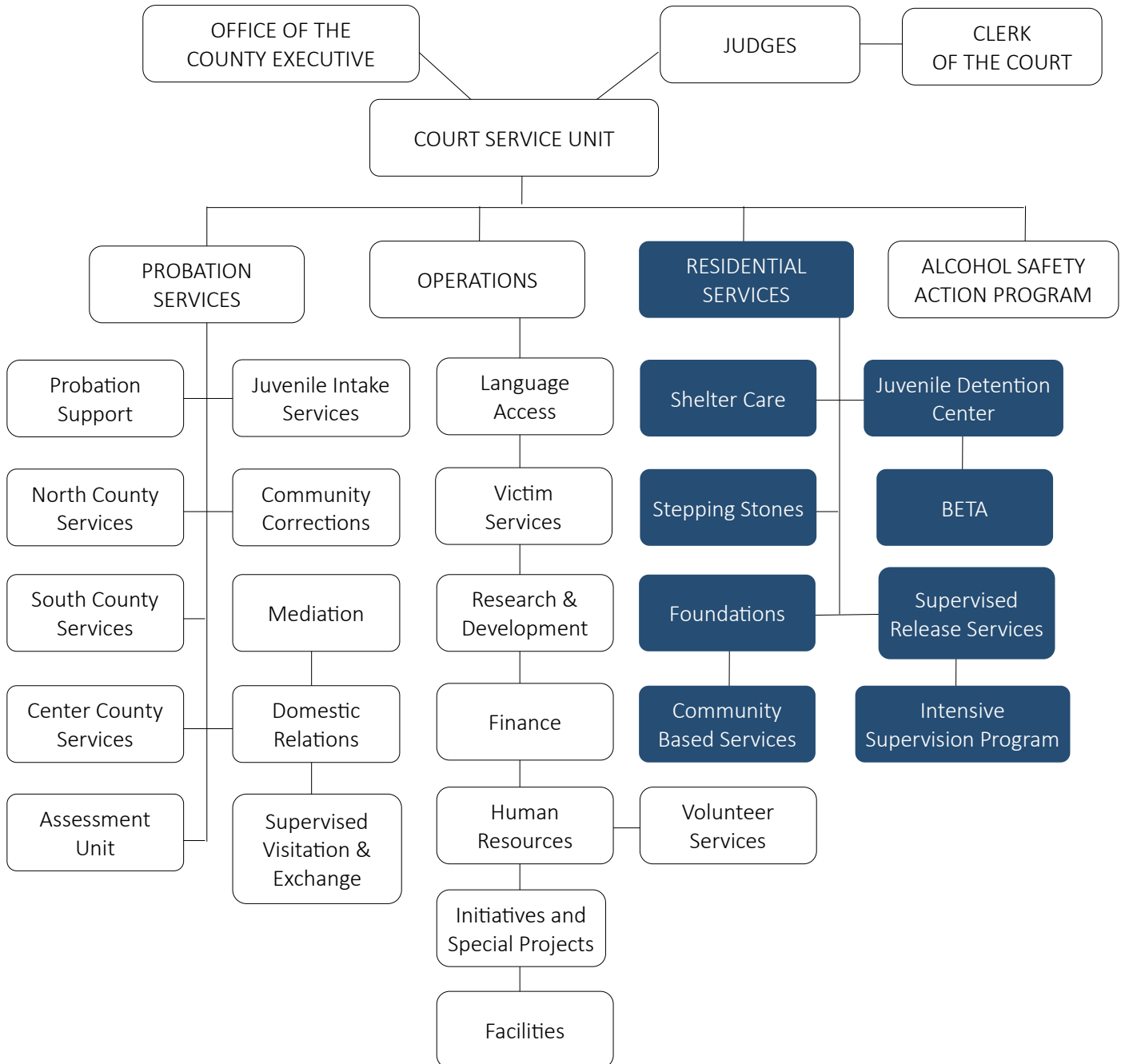
They also work closely with the Community Services Board and private providers who provide substance abuse and mental health services to their clients.

CCS works very closely with the Court Services Unit in the Fairfax County General District Court as they often share cases. CCS is overseen by the Department of Criminal Justice Services (DCJS) and transfers and receives cases to/from any local community-based probation agency in Virginia.

Probation officers meet weekly to go over topics such as motivational interviewing and review case service plans. These meetings are beneficial learning opportunities for the team.

SECTION 3

RESIDENTIAL SERVICES



SUPERVISED RELEASE SERVICES (SRS)

Encompassing Outreach Detention, Electronic Monitoring and Intensive Supervision Programs, SRS primarily functions as a detention alternative providing highly structured supervision, monitoring, and services to juveniles awaiting adjudication or final disposition of charges.

Youths may be referred to Supervised Release Services (SRS) by many avenues:

- Juvenile Intake Officers may refer youth while they are awaiting a court hearing
- Probation Officers may refer youth as a sanction for violating probation rules
- Judges may release juveniles at a court hearing on the condition that they follow SRS rules in conjunction with rules established by the Court.



SRS staff meet with assigned juveniles immediately after their release to SRS, or within 24 hours to:

- establish SRS rules,
- complete assessments,
- orient juveniles and parents to expectations, such as
 - frequency and place of visits
 - graduated responses for rule violations.



OUTREACH DETENTION

SRS staff visits with juvenile clients

- initially, four times per week, including at least once every other day, weekdays, and weekends
 - visits will decrease accordingly based on risk levels



- at a juvenile's home, school, or place of employment

Parents/guardians are contacted at least weekly.

INTENSIVE SUPERVISION PROGRAM (ISP)

ISP is a 45-60 day program providing supervision in the evenings and weekends to youth (and young adults up to age 21) who are considered high-risk or represent an elevated level of threat to public safety.

The program sees about 15-20 cases at a time throughout Fairfax County and can be used as:

- detention alternative for cases with new charges
- graduated sanctions for probation/parole cases who have been non-compliant with their existing rules and need increased supervision after normal work hours.

Clients are court ordered in to the program or probation/parole officers can refer clients to ISP as an informal sanction.

ISP also serves as a Re-Entry type program for youth/young adults who are coming out of extended residential facility stays and there is a concern about his/her readjustment back to the community.

SRS (continued)

While on ISP, clients receive information about local programs and services that could serve to improve their potential for success in the community.

ELECTRONIC MONITORING

The court's electronic monitoring equipment is provided by a contractor and installed and maintained by court staff. The system consists of a one-piece ankle unit that provides 24/7 GPS tracking. The youth is required to keep the unit charged (via a break-away charging cord). Otherwise, the unit operates independently and does not require the youth's cooperation to work.

The ankle unit is installed on the client's ankle in the SRS office. The juvenile and parent subsequently transport the other piece of the equipment to their residence where it is plugged into an electrical outlet.



The electric monitoring equipment used by the court has built-in cellular capability. This allows juveniles without telephone service in their homes to be eligible for release on electronic monitoring.

Juveniles released on electronic monitoring may not leave the home except to attend school or court-ordered treatment and specific activities endorsed by the judge. SRS may approve reasonable leave for medical and legal appointments as well as religious services. Contact requirements between the juveniles and SRS officers are the same as those for other juveniles assigned to this unit. Juveniles and parents are responsible for the costs of equipment repair or replacement if lost or damaged while in their possession.

If the juvenile is out of range without permission, the computer automatically notifies SRS. An attempt is then made to contact the juvenile, investigate the out-of-range alert, and take appropriate action. Tracking information is provided by a secure website accessible from any internet-equipped computer.

SHELTER CARE

Mission: To provide efficient, effective, and relevant services to court-ordered youth and their families within a safe, stable, and consistent environment. To act in conjunction with the agency's goals as well as community partnership and protection.

Residents of Shelter Care generally fall into two categories:

- **Pre-Dispositional**-short-term care and crisis intervention for juveniles in need of supervision or services, or those charged with minor criminal offenses who are awaiting further court action
- **Post-Dispositional**-juveniles pending alternative placement or awaiting further court action.

Staff work with residents and parents/guardians to prepare youth for their next placement or to return home.

Trained staff provide individual and group counseling to address the following:

- identify areas of need,
- identify potential community resources to assist youth with reintegrating to the community,
- teach coping skills for daily living and the challenges that may arise after discharge,
- help youth strengthen relationships with adults by building rapport, and
- provide crisis intervention and stabilization for residents struggling with behavior and mental health issues.

MEDICAL AND PSYCHOLOGICAL CARE

All residents are screened for physical and mental health needs.

- If a resident requires medical care, the program coordinates with the parent/guardian to arrange

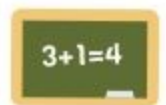
and schedule care with an outside treatment provider. If the parent/guardian is not available, a contracted physician may assess the resident.

- A licensed clinical psychologist is available for initial screenings, emergency psychological evaluations, and ongoing mental health care to assist with stabilization and case planning.
- Weekly psychiatric services are available with a contract psychiatrist if the resident does not have a current treatment provider and needs immediate psychiatric intervention.



STRUCTURED ACTIVITIES AND PROGRAMS

Shelter Care residents are actively involved in community service programs and specialized programs offered by outside partners that include literacy, art, yoga, and a dog adoption program aimed at teaching empathy and compassion. Residents are regularly engaged in constructive free time with choices to paint, draw, make crafts, enjoy music, and engage in appropriate adult/youth interactions.



SHELTER CARE (CONTINUED)

Clergy and/or other religious officials are welcome to meet with residents at Shelter Care. In addition, a voluntary nondenominational religious group is offered. Any other religious arrangements should be made through the resident's case counselor.

The program designs recreational activities to enhance the physical abilities of the residents and broaden cultural experiences. These activities include trips to museums, parks, recreation centers, bowling, and other activities. Indoor and outdoor activities promote healthy alternative youth activities. In addition, staff make allowances for youth with diverse and special needs and/or restrictions.

Youth are encouraged to remain connected with their families, guardians, attorneys, members of the clergy, and their probation officer, as appropriate. Ample opportunity is provided for both written and telephone communication. In addition, visitation with the parties listed above is encouraged and available on a regular basis. Residents may also earn the privilege to visit with their families at their homes, if appropriate.

All youth are required to clean their own rooms and assist with general housekeeping in the common living areas. General cleaning skills, pride, and responsibility are taught through this service.

When possible, it is the philosophy of the program and overall agency to return a resident to his or her home environment as quickly as possible. To this end, the program works closely with the case manager to assist with both short and long term goals. The program engages families and caregivers, to steer decision making and planning.

JUVENILE DETENTION CENTER

A 121-bed secure, structured environment that offers therapeutic programming and services to promote positive change for adolescent males and females. Eleven beds are designated for the BETA Program, a specialized male-only unit providing post-dispositional treatment and confinement for up to six months.

Juveniles who are awaiting adjudicatory or dispositional proceedings represent the largest percentage of the population at the detention center.

The Virginia Code provides for a number of sentencing options. The court may sentence a juvenile to confinement in JDC for as long as thirty days if he or she is 14 years of age or older and is convicted of an offense that would be punishable by confinement in a state or local facility if committed by an adult.

JDC PROGRAM AND SERVICES

BEHAVIORAL MANAGEMENT PROGRAM

- Fairfax JDC has worked to develop and maintain a Behavior Management Program that establishes a safe and secure environment while allowing residents to focus on future goals

MENTAL HEALTH UNIT SERVICES

- Mental health professionals from the Community Services Board are embedded into the program to help meet the needs of residents.

EDUCATIONAL SERVICES

- FCPS teachers and support staff are embedded in the program to provide educational services.

HEALTHCARE SERVICES

- Fairfax JDC has a medical staff that includes three nurses and a contracted pediatric physician. All residents, immediately upon admission, undergo a preliminary health screening consisting of a structured interview and observation by health-trained staff. Immediate health care is provided to residents, as needed.

RECREATIONAL SERVICES

- Time is scheduled daily for large muscle group exercise.

FAMILY ENGAGEMENT SERVICES

- The program is designed to allow for positive contacts with and involvement of parents to the degree possible.
 - phone contacts
 - face-to-face contact
 - special extended family visits
 - family activity programs

BETA PROGRAM

The Beta Program provides the court with an alternative to committing youth to the Department of Juvenile Justice (in accordance with §16.1-284.1 of the Virginia Code).

The mission of the program is to address the behavioral and substance abuse needs of delinquent youth in a secure, short-term, residential setting, using an intensive therapeutic approach. The program, located within the Juvenile Detention Center, accommodates eleven male offenders, ages 14 to 17. Juveniles must be referred by a probation officer and must complete an admissions assessment with program administration to determine their appropriateness for placement prior to the youth being court ordered into the program. The program does not accept youths who are psychotic or those requiring sex-offender treatment services.

The program provides up to six months of treatment in a secure environment followed by a six-month aftercare component with services continuing in the community.



Interventions are structured to address issues such as:

- emotional regulation
- social skills training
- decision-making skills
- moral reasoning
- substance abuse
- accountability
- establishment of boundaries and limits.

The Beta Program uses the **Balanced Approach** to **Restorative Justice** to initiate and achieve behavioral change in delinquent boys who have been unsuccessful on probation. Beta continues to achieve this by using individualized treatment planning, a structure that holds youths accountable, counseling that encourages competency development, and an environment that promotes and maintains community safety.

Services provided include individual, group, and family counseling, substance abuse treatment, mental health, and educational services. Community service opportunities are also made available to residents.

STEPPING STONES

Highly structured, designed to reduce chronic delinquent behavior, and emphasizes the acceptance of personal responsibility.

Stepping Stones is a twelve-bed, community-based, residential treatment facility for males between the ages of 14 and 18. Juveniles must be referred by a judge or their probation/parole officer and found to be appropriate for the program.

RESIDENTIAL PHASE

Residents enter the program's Residential Phase for 3 to 6 months or 6 to 9 months, depending on their overall risk level and treatment needs.

TRANSITION PHASE

After completing the residential program, residents enter the Transition Phase. This is a 90 day period where the resident returns home to his family and the program's clinical staff go to the home for family and individual counseling sessions.

TREATMENT PLANNING AND COUNSELING

Each resident has a **treatment plan** that incorporates criminogenic issues identified on the Youth Assessment Screening Instrument (YASI). Residents meet weekly with their assigned individual therapists, behavioral management counselors, and family therapists. Each addresses the treatment areas identified in the residents' treatment plan.

Parental involvement is required and considered crucial to successful treatment.



Major treatment goals for residents include

- becoming more responsible for their behavior by learning to make better decisions
- gaining an understanding and acceptance of the role of authority and its value in their daily lives.

Residents participate in nightly group activities and weekly events at the program.

INDIVIDUAL COUNSELING

- residents explore behaviors that led them to court involvement
- counselors aid residents in identifying individual strengths and areas of improvement
- residents are required to meet with a counselor, individually, at least three times per week.

Promoting positive outcomes by fostering the 8 C's of Caring...

- 1 Competence
- 2 Confidence
- 3 Connection
- 4 Character

- 5 Contribution
- 6 Caring
- 7 Coping
- 8 Control

THE COUNSELING COMPONENT AT STEPPING STONES OFFERS COUNSELING USING EVIDENCE BASED PRACTICES

GROUP THERAPY

- residents learn to express their thoughts and feelings openly and honestly
- consists of nightly evening groups, resident led groups, life skills groups, and Alcohol and Drug groups

FAMILY COUNSELING

- residents & parents participate weekly
- family members learn to improve their communication skills and resolve conflicts in a productive manner

PARENTS' GROUP

- residents' parents/guardians meet monthly to discuss program events and offer support to each other

MONTHLY TREATMENT TEAM

- Each resident has a monthly team that consists of his counselors, family, and referral source to review his progress and goals in the program

SUPPORTING PROGRAMS

Stepping Stones has the following supporting programs to assist with skill building and life skills:

FOOD SERVICE SPECIALIST

- provides healthy food selections
- teaches residents basic cooking and sanitation skills

RECREATIONAL PROGRAM

- recreational sports and camping opportunities
- access to Fairfax County recreation centers

ADOPT-A-HWY

- assist in cleaning a portion of Braddock Road
- scheduled at least every quarter

CAPITAL YOUTH EMPOWERMENT PROGRAM

- Safe Dates Program targets attitudes and behaviors associated with dating abuse and domestic violence
- 12-week program offered three times a year

CARING ANGELS THERAPY DOGS

- weekly visits provide residents with canine therapeutic support
- provide a calming atmosphere during free time, groups, and individual sessions.

COMMUNITY SERVICES BOARD (CSB)

- provides Alcohol & Drug Services (ADS) through weekly psychoeducational classes and individual meetings, as needed.
- assists residents with obtaining a sponsor in the community and NA/AA locations.

In addition, other volunteers introduce programs such as Boy Scouts, personal training, tutoring, Project Success, and religious services on a regular basis.

FOUNDATIONS

A highly structured, 12-bed, community-based, trauma informed residential treatment program for court-involved females. Residents are placed into the program by judicial order.

Foundations works with females between the ages of 13 and 17 at the time of admission offering a safe, stabilizing environment.

RESIDENTIAL PHASE

Foundations accepts females who exhibit chronic behavioral issues and have been unable to be successful in an outpatient setting. Residents may be involved with the court via a CHINS or criminal charge. Additionally, females in the custody of the Department of Family Services may be placed in Foundations if they meet certain criteria.

The program strives to assist girls in adopting more positive interactions with peers, families, and community through behavioral and clinical components. For residents that demonstrate mental and behavioral stability, an independent readiness track is available.

TRANSITION PHASE

Understanding that the first few months upon leaving a residential setting is a vulnerable time, Foundations provides continued individual and family counseling for residents and families in the community. Upon completion of their therapeutic track, residents enter a structured transition level for one to three months, as determined by their treatment team.

During this transition, residents return home for a trial period and are required to comply with a graduated support schedule. Residents sign a transition contract

that outlines expectations. Failure to abide by the contract can result in an unsuccessful transition and return to Foundations for additional support, as needed.

TREATMENT PLANNING AND COUNSELING

Treatment goals are established using available information from assessments, information from residents, parents, referred services, and program administrator.

INDIVIDUAL COUNSELING

- individual meetings with primary counselor to engage in therapeutic process, coordinate treatment and monitor progress.

FAMILY COUNSELING

- weekly family sessions allow residents' parents to examine relationships, conflicts, patterns of communication, and to seek ways to improve the family unit.



**PARENTAL INVOLVEMENT IS ESSENTIAL
TO A RESIDENT'S SUCCESS**

FOUNDATIONS (CONT)

MULTI- FAMILY COMMUNITY GROUP

- biweekly group allows residents and parents to process progress and related topics
- groups are facilitated by a family therapist

GROUP COUNSELING

- residents share thoughts and perceptions with peers, resolve issues, and examine relationships among group members.

Topics include:

- relationships and sexuality
- family patterns and dynamics
- alcohol and substance abuse
- decision-making
- anger management
- self-esteem
- coping strategies.



PARENT SUPPORT GROUP

- meets every other week
- parents encourage one another, learn about relevant issues, and process thoughts and feelings.

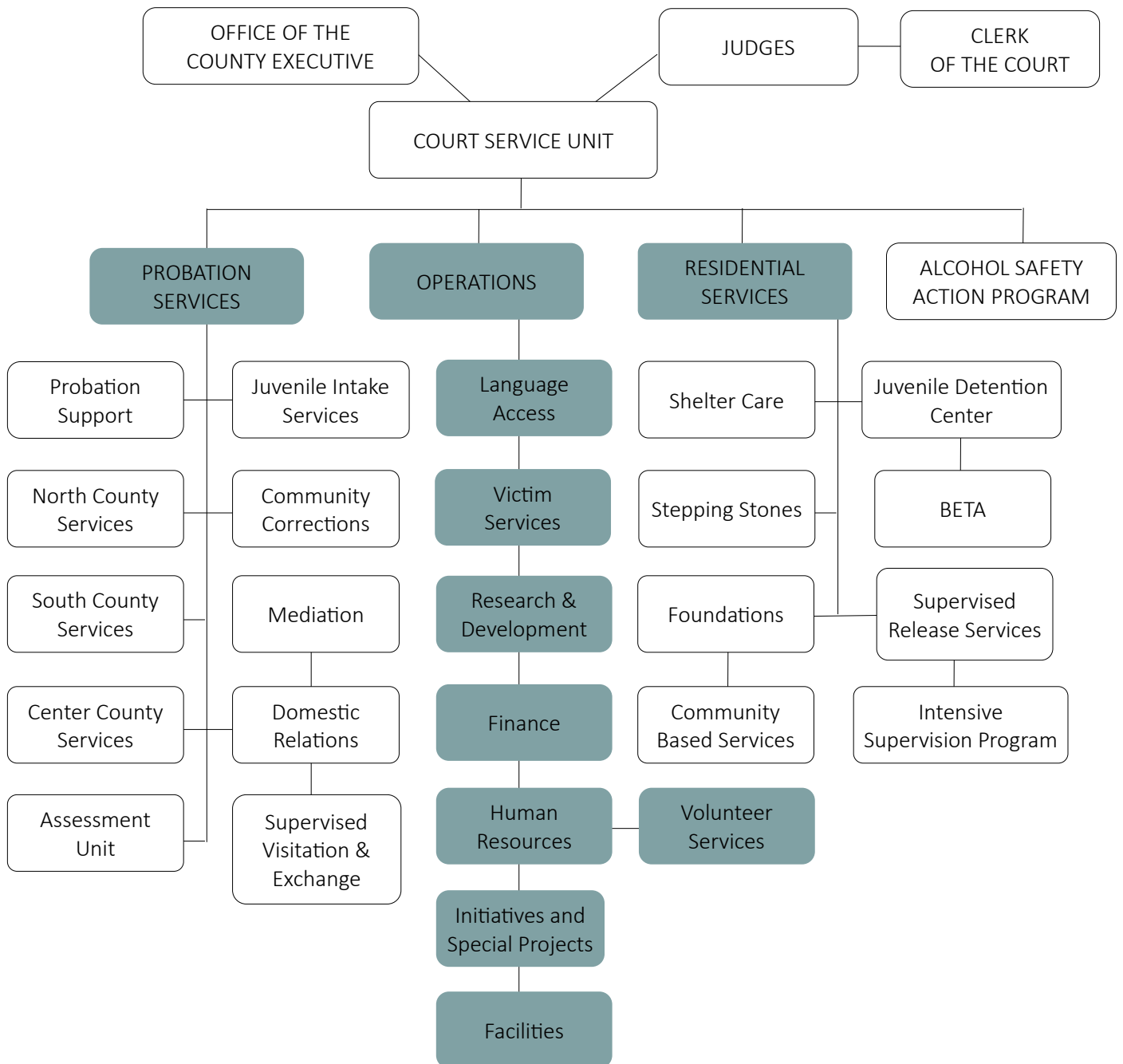
TREATMENT MODALITIES

Treatment modalities or methods used during counseling sessions vary and include:

- Cognitive Behavioral Therapy (CBT)
- Trauma Informed-Cognitive Behavioral Therapy (TF, -CBT)
- Dialectical Behavior Therapy (DBT) Skills
- Expressive Arts
- Eye Movement Desensitization
- Reprocessing (EMDR) therapy
 - Somatic Learning

SECTION 4

OPERATIONS



ADMINISTRATIVE SERVICES

Administrative Services oversees the management of the entire CSU from personnel and facilities management to the budget. There are many programs housed under the umbrella of Administrative Services supporting all aspects of the CSU.

DIRECTOR, COURT SERVICE UNIT

The CSU Director oversees the entire Court Service Unit. From procedural changes and initiatives to disciplinary actions and position appointments. The Director works closely with the CSU's Deputy Directors and with other County and State Agencies including, but not limited to:

- Virginia Department of Juvenile Justice
- Fairfax County Executive and the Director of Human Services
- The Judiciary and the Clerk of Court
- Office of the Commonwealth's Attorney
- Fairfax County Police Department
- Public Defenders Office
- Fairfax County Public Schools
- Other community organizations



DEPUTY DIRECTOR, RESIDENTIAL SERVICES

Working together with the CSU Director, the Deputy Director of Residential Services oversees all residential programs, which includes:

- Supervised Release Services
- Shelter Care
- Juvenile Detention Center
- Stepping Stones
- Foundations

DEPUTY DIRECTOR, PROBATION SERVICES

The Deputy Director of Probation works closely with the CSU Director. This deputy director position is responsible for the operation and management of probation services which includes:

- Juvenile Intake Services
- Juvenile Probation Services
- Assessment Services Unit
- Domestic Relations Services
- Community Corrections Services

PROBATION SUPPORT SERVICES

- Oversight and management of Emergency Services Probation Officer
- Contract Management for service providers conducting psychological and sex-offender evaluations and treatment, mental health and substance abuse evaluation and/or treatment.
- Oversight of Competency Evaluation and Restoration Referral Process
- Development and Implementation of Policies and Procedures related to Department of Juvenile Justice certification standards for the CSU
- Quality Assurance (QA) and Continuous Quality Improvement (CQI) activities.

DEPUTY DIRECTOR, OPERATIONS

The Deputy Director of Operations acts as the project manager for new facility planning, construction, and major reconfiguration of existing facilities. This position works closely with agency program managers, personnel from the County's Department of Public Works, and contracted architects. Serves as the CSU's FOIA officer.

Administrative Services houses the following programs that serve under the Deputy Director of Operations:

INITIATIVES AND SPECIAL PROJECTS COORDINATOR

The Special Projects Coordinator facilitates the court's many initiatives and provides oversight on special projects:

- Strategic planning and all related actions
- RBA—Results Based Accountability
- PREA—Prison Rape Elimination Act
- Trauma Informed Practices
- Gang Prevention
- QA and CQI coordination
- Agency communications and website

In addition to special projects, the coordinator also oversees the CSU's Training Program.

TRAINING

Administrative Services facilitates a wide variety of training opportunities for its employees, which are managed by a Training Specialist. Staff receive orientation and ongoing training appropriate to their duties and to facilitate career development.

The court is guided by a comprehensive training plan that addresses a wide variety of issues. The court is an **Evidence Based Practice** organization in all key aspects, specifically client needs. Each employee's

Career Management Plan is regularly reviewed and updated. The training plan also aligns with the agency's **Strategic Plan**.

JDRDC has introduced a learning map for all new hires and for orientation tasks specific to each positions' roles and responsibilities. At the beginning of their careers, all new CSU employees must attend:

- CSU's New Employee Orientation to learn about each unit and program, visit residential facilities, and observe court proceedings
- Unit specific orientation
- Fairfax County workshops and other mandatory training.

Cross-agency collaboration has seen an increase in training classes delivered by our partners, notably Fairfax County Public Schools, Department of Family Services, and the Fairfax-Falls Church Community Services Board. In-house training is focused on Evidence Based Practice, Trauma Informed practices, Diversity, Reducing Inequities, and increasing Family Engagement.

Unit directors may arrange specialized training to meet the needs of unit personnel. With supervisor approval, employees may participate in training and conferences offered by other agencies to support career development.

The Training Advisory Group (TAG) includes representatives from each unit and meets regularly to assist the training specialist in identifying training needs, developing an integrated training plan, and arranging training events. Members act as liaisons

between the training specialist and individual units. The TAG also has the responsibility for organizing an Annual Day of Training.

Employee training records are entered in EmployeeU, the County's learning management system. Employees can use the system to access their learning transcripts and take online classes.

BUDGET DEVELOPMENT & MANAGEMENT OF FINANCIAL OPERATIONS

The fiscal manager manages the agency's budget development process and financial activities. Program managers monitor program expenditures, identify potential cost overruns, project future costs, and justify new expenditures. The fiscal manager assists with these activities, and:

- establishes internal financial management procedures
- prepares monthly financial reports for unit directors
- monitors the agency's overall financial health
- advises agency director of the potential impact of budgetary decisions
- prepares agency budget for approval by the director and submission to the county's Department of Management and Budget
- serves as liaison to county agencies that are responsible for county financial activities.



The fiscal manager is knowledgeable about county policies, the requisitioning of goods and services, and contract procurement and administration. The fiscal manager also prepares the agency's part of the

Department of Juvenile Justice biennium budget and provides oversight for grant financial management.

Financial staff prepare and process most requisitions for goods and services and arrange for payment from the county's Office of Finance. They submit auto mileage and other travel expense vouchers for review, approval, and payment.

PERSONNEL ADMINISTRATION (HUMAN RESOURCES)

The CSU director approves all position appointments and disciplinary actions. Program managers recommend applicants for positions and employees for promotion and evaluate employees' job performances in accordance with Fairfax County's Office of Personnel regulations. Job performance evaluations are completed by an employee's direct supervisor and approved by his or her respective supervisor.

The Human Resources team consists of four staff members. They work closely with program managers to address unique needs affected by human resource issues. HR staff also oversees the areas of:

- workforce planning
- employee relations
- recruitment
- leave of absence requests
- workers' compensation
- payroll

RECORDS MANAGEMENT

CSU Administration oversees the filing, storage, security, and expungement of juvenile and adult probation social files, files for Diversion, Supervised Release Services, Mediation, and home studies conducted by Domestic Relations. The files are from closed cases, those no longer under court supervision or receiving services. Social files contain reports that reflect the work and activities of CSU staff such as probation notes and reports,

The court has begun a multi-phase document management system to replace traditional paper-based case files and manual court case processes with electronic case records and automated workflows for case processing and management.

RESEARCH AND DEVELOPMENT

The Research & Development Unit includes a director and two analysts. The unit provides support for research, evaluation, strategic planning efforts, grants and program development. The Research unit:

- Collects, compiles, and distributes workload and client trend information
- provides information to support budget development
- collects agency performance measure data
- evaluates services
- conducts research on juvenile justice issues
- identifies funding opportunities
- write grant proposals and evaluate the results of grant-funded activities
- provides expertise to other court workers on data analysis, programming, and service issues.

Research also compiles the CSU's Annual Report, providing the public and court with a summary of the court's workload, programs, and activities. This report highlights client trends, outcome data, and special initiatives that makes it possible to understand the work accomplished over the previous year.

This Guide to Court Services is also created by the Research and Development Unit.



VOLUNTEER SERVICES

Any court services clerical or professional employee may request a volunteer. Volunteers also provide services for the court clerk's office.

More than two hundred volunteers and interns provide services to the court each year. The Volunteer Services Program Manager is responsible for recruiting and placing volunteers and interns with the CSU and the clerk's office. The program manager:

- recruits individuals
- accepts applications and interviews prospective volunteers and interns to determine their interests, education, knowledge, and skills
- conducts reference checks
- conducts criminal record checks (police, Department of Motor Vehicles, Child Protective Services, and FBI)
- refers prospective volunteers and interns to staff members

Court employees review the applications and interview the applicants for final determination.

Volunteers and interns are provided with an orientation of court services. More specific training is provided by the unit where he or she is placed. Each volunteer is directly supervised by a CSU or clerk's office staff member. Interns must be supervised by an employee.

The Volunteer Services Program Manager monitors service hours and serves as a liaison between the CSU and organizations that refer volunteers and interns to the court, such as local colleges or universities, area volunteer centers, and community organizations. Additionally, the program manager participates in special projects designed to present information regarding CSU opportunities to the public.

STUDENT INTERNSHIP PROGRAM

Undergraduate and graduate-level students are provided an excellent "hands on" learning experience that supplements their classroom knowledge with practical work. Internships with the CSU are available for one or two semesters during the Fall, Spring, and Summer semesters.

Interns work between 16—32 hours per week. Assignments are based on the student's academic background and interests, staffing needs of the unit, and supervisor availability. To be considered for an internship:

- students must be at least 21 years old
- earning college credit
- should have completed at least two years of undergraduate studies.



LANGUAGE ACCESS PROGRAM

Any court services clerical or professional employee may request an interpreter.

Recognizing the diverse population within Fairfax County and Fairfax City, the Language Access Program assists non-English speaking clients in accessing court services. Language Access strives to ensure that every Limited English Proficient (LEP) and hearing-impaired client is provided with access to all court services and residential programs. The program provides effective communication between officers and LEP and hearing-impaired clients through the services of qualified interpreters.

The LA team provides competent interpreters in all languages needed to fulfill the objectives of every unit and residential program. Interpretation services are available for intake interviews, probation meetings, interviews for court reports, and other instances as needed. Meaningful access is also provided by translating court or informational documents needed for our clients to access our program services.

Language Access also manages paid vendor contracts to provide a wide range of services available from Insta-Text, phone, video, and face-to-face interpretation and translation services.



Volunteer Interpreter Program (VIP)

The Language Access Program also manages an established Volunteer Interpreter Program which engages community members to assist LEP clients in accessing court services and aid court staff in breaking language barriers and cultural misunderstanding.

The Language Access Coordinator recruits, screens, and trains all volunteer interpreters. The Coordinator assesses the applicant's language skills and abilities in areas such as listening and working with others. Training is provided on court processes, legal processes, confidentiality, courtroom demeanor, and ethics.

Volunteer Interpreters assist all CSU units with various processes. This includes units located in the Courthouse, residential facilities, and in the probation field units.

VICTIM SERVICES

Victim Services was established in 2001 to ensure that persons **victimized by juvenile offenders** are afforded their rights under the Virginia Crime Victim and Witness Rights Act. The JDRDC Victim Services Unit was the first program of its kind in the Commonwealth.

Victim Services (VS) staff provides direct support to crime victims, families, and witnesses suffering emotional, physical or financial harm as the result of a crime. Services are provided free of charge and are available to help victims navigate the criminal justice process and assist in their recovery.

Referrals received directly from Juvenile Intake and victims are contacted by VS staff and offered the opportunity to actively participate in all stages of the criminal justice process. Victims are assisted through a variety of services:

- assistance in completing and filing Victim Impact Statements and Statements of Financial Loss
- notification of Victims' Rights under the Virginia Code
- notification of offender status
- crisis intervention
- court advocacy, support, and education
- obtaining financial assistance through the Virginia Victims' Fund (i.e. medical, counseling, moving expenses)
- mental health counseling referrals for those experiencing emotional trauma
- safety planning and options counseling

Investigative support is provided to police officers, detectives, and probation officers

by keeping victims and witnesses informed and prepared for upcoming court proceedings and/or investigative meetings.

During the criminal justice process, probation officers and/or the Commonwealth's Attorney may ask VS staff to assist victims in submitting documentation and information for purposes of preparing court reports. Once the criminal justice process is over, VS remains the primary contact for victims to discuss non-payment of restitution, violation of no contact orders, compensation, continued safety planning, resources and referrals.

While the impact of crime cannot be erased, Victim Services pledges to:

- uphold a victim's right to be protected from further harm
- treat victims in a professional, sensitive, and supportive manner by considering their needs
- hold the juvenile offender accountable for the victimization of others.

Victim Services also offers services for offenders. VS advocates work with juvenile offenders through the Alternative Accountability Program, Core Values, and Victim Impact Classes. These interventions focus on the crimes committed by the juvenile, the juvenile acknowledging responsibility for their crime, and making amends to the victim and community. At the same time, juveniles are educated about their values and their ability to make correct behavioral choices.

INFORMATION TECHNOLOGY

The court uses a variety of personal computers, software, and related hardware that are connected to a secure Fairfax County Government network. This provides access to core applications and computer resources maintained by county agencies. Other networks and applications are also available based on the roles and needs of staff.

The Court's Department of Information Technology (Court DIT) assists staff with hardware and technical issues. All requests for IT related services are entered into the Enterprise Service Management Platform (ESMP).

Fairfax is the first juvenile court in the Commonwealth to implement a case imaging system, JDIS. The Supreme Court of Virginia has made the system available to all other juvenile courts throughout Virginia. The court's core applications include:

- case management
 - intake processing
 - serious incident reporting
 - gang management system
- **RSIS**—Agency-developed Residential Services Information System provides case management of youth in residential placements.
- **PTCC**—Pre-Trial Community Corrections, Department of Criminal Justice Services (DCJS) provides case management of adult offenders:
 - setup and jail admission
 - screening
 - pretrial placement
 - community corrections
 - pretrial supervision
- **JCMS**—Juvenile Case Management System, Supreme Court of Virginia (SCV):
 - manages the court's docket and court cases
 - disposition of cases
 - financial transactions
 - Access imaged of court records
- **JDIS**—Juvenile and Domestic Imaging System, Supreme Court of Virginia:
 - interfaces with JCMS
 - scanning, retention, and electronic viewing of court documents
 - captures all Juvenile and Domestic Relations legal case file documents
- **BADGE**—Balanced Approach Data Gathering Environment, Virginia Department of Juvenile Justice (DJJ), consolidates previously created applications and modules under one common interface:

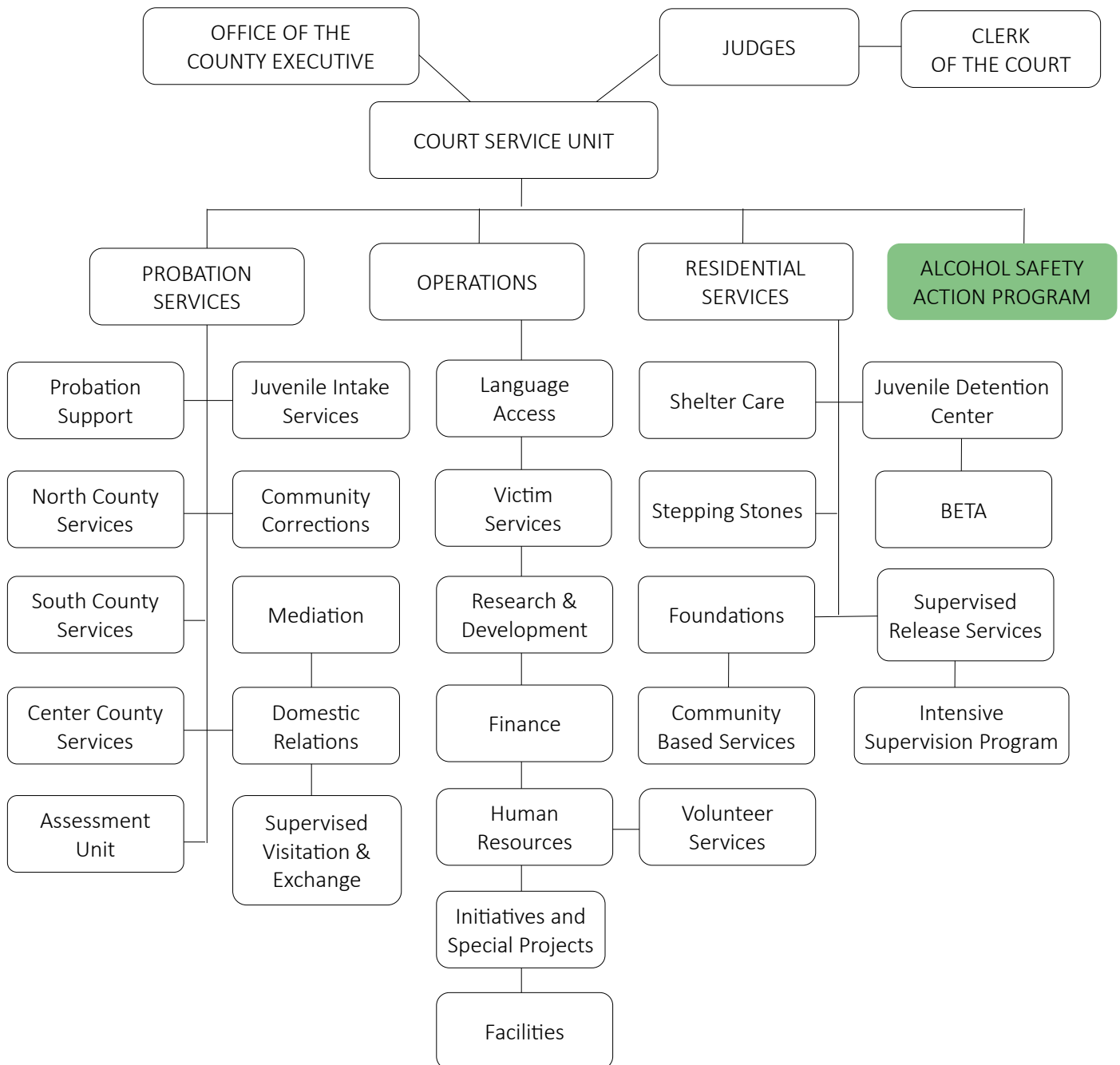
- includes clerk scanning, clerk work queues, expungement of electronic documents and an audit log
 - court clerks deliver documents electronically to court staff work queues
 - CSU submits case documentation to the clerk's office for placement in legal files
- **JSVS**—Juvenile Secure Viewing System, Supreme Court of Virginia :
 - web based application that can be utilized by all JDRDC unit locations
 - searching and viewing court case legal documents that have been scanned into JDIS
 - scanning/submission of court case documents by the CSU from all JDRDC unit locations to the clerk's office via JSVS for storage in JDIS.
 - contains the CSU queues that deliver documents scanned in the courtrooms and sent to CSU work queues

There are also two public viewing kiosks located in the Clerks viewing room that allow public users and lawyers who are party to the case to look up and view documents.



SECTION 5

ALCOHOL SAFETY ACTION PROGRAM (ASAP)



ASAP

Mission: Improve highway safety by decreasing the incidence of driving under the influence of alcohol and other drugs, leading to the reduction of alcohol and drug-related fatalities and crashes.

COMPONENTS

The Fairfax Alcohol Safety Action Program is one of 24 programs located throughout the Commonwealth. To improve highway safety, each program provides the following components:

1. Enforcement
2. Adjudication
3. Case Management/Offender Intervention
4. Program Evaluation/Certification
5. Public Information/Education

PROGRAM OBJECTIVES

- Deter drivers from driving under the influence of alcohol and other drugs
- Increase awareness to aid in the identification, apprehension and conviction of those driving under the influence
- Assist courts in raising the conviction rate for DUI cases and number of appropriate ASAP referrals
- Probation supervision of offenders including education and treatment services
- Statewide offender tracking services for all ASAPs
- Increase public awareness of the consequences of DUI arrests, crash risks, and other activities to reduce DUI incidents

ASAP has a variety of programs designed to improve highway safety. There is flexibility for programs to tailor services to meet the needs of a locality and the individual.

Programs include:

- Ignition Interlock Program
- Drug Testing/Urine Screening
- programs for DUI intervention, suspended drivers, aggressive drivers, first offenders, and young offenders
- Alcohol education for adolescents and relapse prevention

PROGRAM BENEFITS

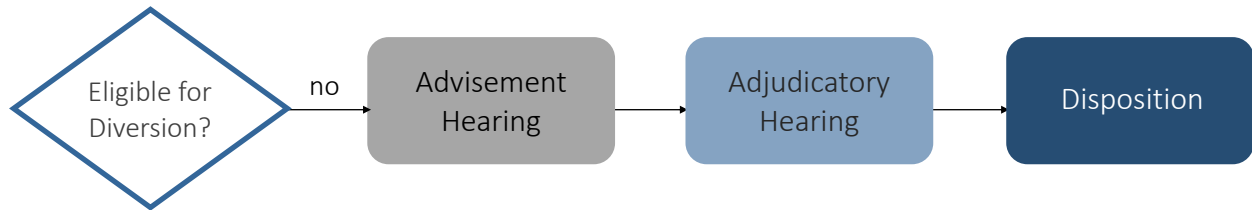
- Education and treatment for over 40,000 offenders annually
- Reduction in the need to incarcerate offenders by providing monitoring and probation services for DUI and habitual offenders
- Taking drunk drivers off the streets results in:
 - fewer accidents
 - lower automobile and health insurance rates
 - lower taxes
 - decreased crime—86% of all crimes are related to alcohol and other drugs. Alcohol involvement is the single greatest factor in motor vehicle deaths and injuries, and is a factor in one-half of all murders, accidental deaths, suicides, and other crimes.

APPENDIX

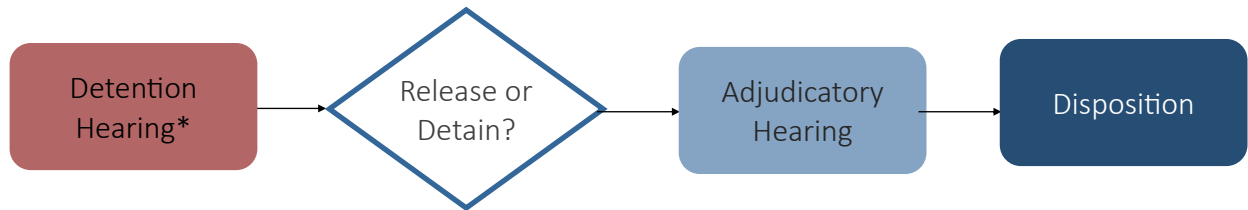


LEGAL PROCESS IN JUVENILE CASES

MISDEMEANOR OR LESS SERIOUS CHARGE

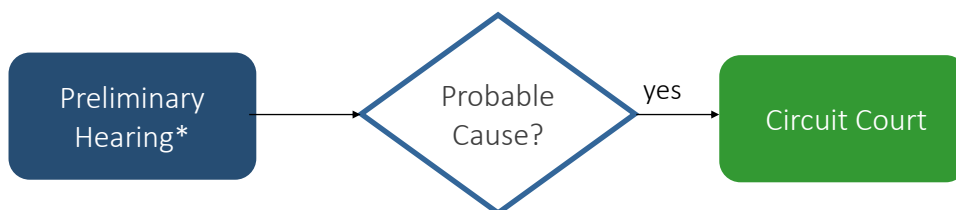


FELONY OR SERIOUS CHARGES **



CERTIFICATION TO STAND TRIAL AS AN ADULT

MURDER OR AGGRAVATED MALICIOUS WOUNDING



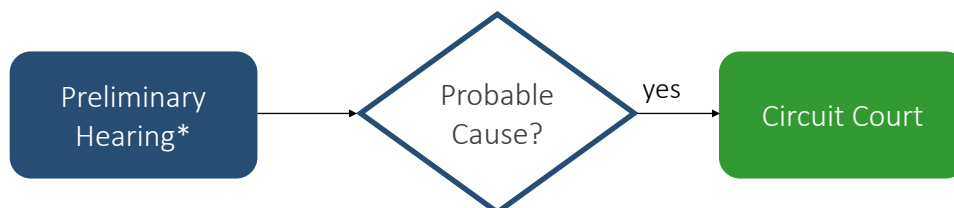
* Hearing is adversarial / juvenile can confront and cross-examine witnesses and call witnesses

** Commonwealth attorney must give notice of intent to seek transfer

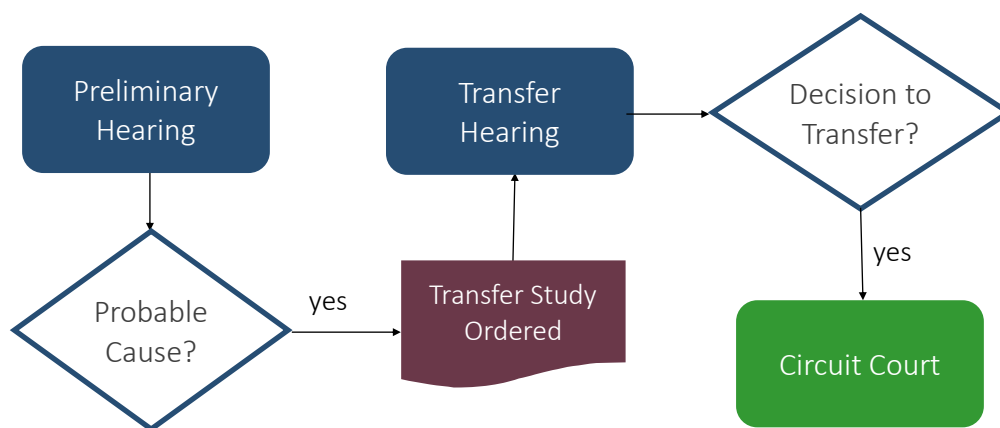
*** Court considers age, seriousness and number of alleged offenses, prior record, mental illness, intellectual developmental disability, school record, and the availability of appropriate services and alternatives in the juvenile and adult correctional systems

CERTIFICATION TO STAND TRIAL AS AN ADULT (CONTINUED)

ABDUCTION, ROBBERY, RAPE, FORCIBLE SODOMY, AND OTHER MAJOR FELONIES **



OTHER FELONIES **



Key:

Domestic
Relations
Services

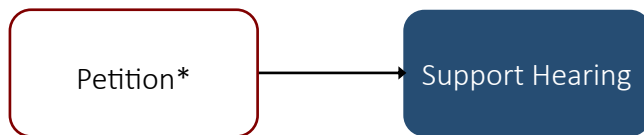
Juvenile Court
Proceedings

Community
Corrections
Services

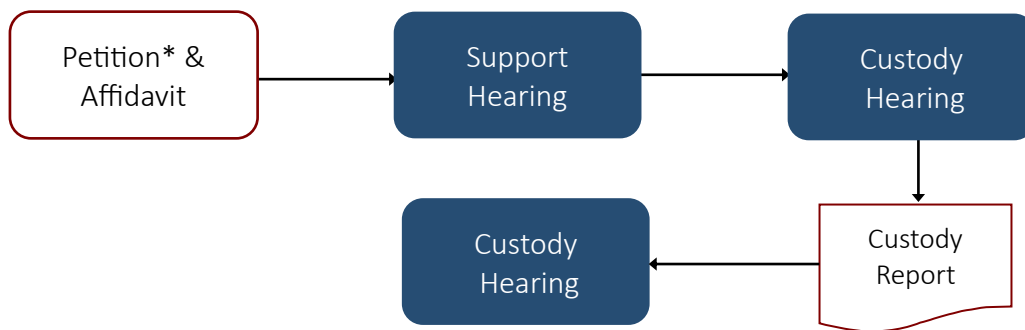
Circuit Court
Proceedings

LEGAL PROCESS IN DOMESTIC & ADULT CRIMINAL CASES

CHILD OR SPOUSAL SUPPORT



CHILD CUSTODY OR VISITATION



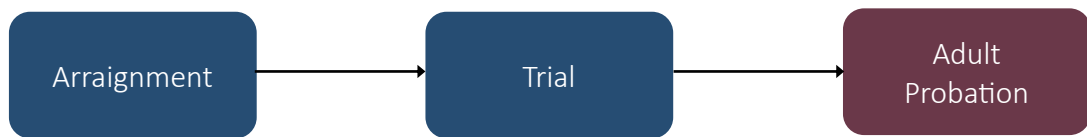
FAMILY ABUSE



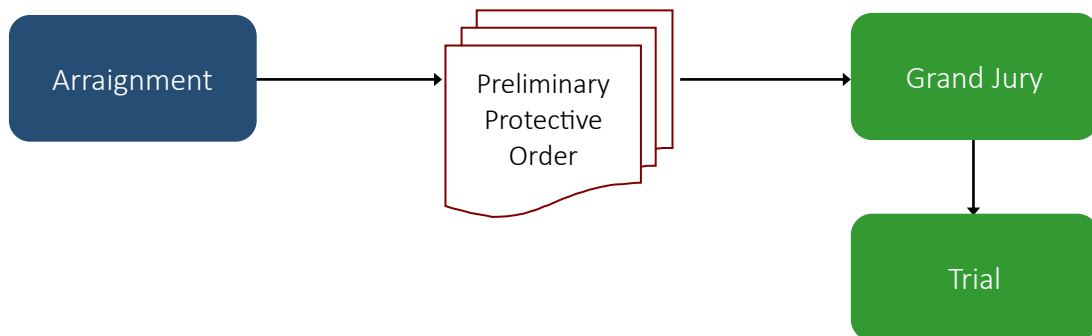
* Domestic Relations may divert support and custody cases from the legal process through consent orders and/or mediation

CRIMINAL CASES

ADULT MISDEMEANOR



ADULT FELONY



Key:

Domestic
Relations
Services

Juvenile Court
Proceedings

Community
Corrections
Services

Circuit Court
Proceedings

COMMONLY USED ACRONYMS AND ABBREVIATIONS

GENERAL

ADA Americans with Disabilities Act
ADMIN..... Administration
ADC..... Adult Detention Center
ASST..... Assistant
DEP..... Deputy
DEPT..... Department
DIR..... Director
EEO..... Equal Employment Opportunity
ESL..... English as a Second Language
EXEC Executive
FFX..... Fairfax
FOIA..... Freedom of Information Act
FY..... Fiscal Year
GED General Equivalency Diploma
GOVT Government
HIPAA Health Insurance Portability and Accountability Act
HR..... Human Resources
ICE Immigration and Customs Enforcement (U.S. Department of Homeland Security)
LCSW Licensed Clinical Social Worker
LPC..... Licensed Professional Counselor
MGR Manager
MSW..... Master of Social Work
PROG Program
TRS..... Telecommunications Relay Service
TTY..... Text Telephone or Telephone Typewriter (sometimes called TDD or Telecommunication Device for the Deaf)

COUNTY, COURT, AND LEGAL

ADP..... Average Daily Population
ADS..... Alcohol and Drug Services
ATTY Attorney
BPH..... Boys Probation House
CA Commonwealth's Attorney
CAP Central Admissions and Placement Unit, Department of Juvenile Justice
CASA..... Court Appointed Special Advocates
CCFS Center for Clinical and Forensic Services

CHINS Child in Need of Services or Supervision
CPMT..... Community Policy and Management Team
CPS Child Protective Services (DFS)
CrTO Courtroom Technology Office
CSA Comprehensive Services Act for At-Risk Youth and Families
CSB Community Services Board, Fairfax-Falls Church
CSP Community Services Program
CSU Court Services Unit
CTMS Courtroom Technology Management System
DAHS Department of Administration for Human Services (Fairfax County)
DAI..... Detention Assessment Instrument (DJJ)
DCJS..... Department of Criminal Justice Services
DCSE Division of Child Support Enforcement
DFS Department of Family Services
DH..... Detention Hearing
DIP Drunk in Public
DJJ..... Department of Juvenile Justice
DMC Disproportionate Minority Contact
DO Detention Order
DT Diagnostic Team
DUI Driving Under the Influence
DV..... Domestic Violence
DWI Driving While Intoxicated
EAC Employee Advisory Council
EBP Evidence Based Practice
EM Electronic Monitoring
EPO..... Emergency Protective Order
ERO..... Emergency Removal Order
FAPT Family Assessment and Planning Team
FCPD..... Fairfax County Police Department
FCPS..... Fairfax County Public Schools
FOCUS Fairfax County Unified System (Fairfax County Government and Fairfax County Public Schools Finance & Human Resources System)
FTA Failure to Appear
FTC..... Failure to Comply
GAL Guardian ad litem
GDC General District Court
HPO High Performance Organization
I&R..... Investigation and Report

ICJ Interstate Compact on Juveniles
IDT Interdisciplinary Team
IEP Individualized Education Program
IH Informal Hearing
ISP Intensive Supervision Program
JCC Juvenile Correctional Center
JDAI Juvenile Detention Alternatives Initiative
JDC Juvenile Detention Center
JDR Juvenile & Domestic Relations District Court
JDRDC Juvenile & Domestic Relations District Court
LAP Language Access Program
LOS Length of Stay
LSNV Legal Services of Northern Virginia
MAYSI Massachusetts Youth Screening Instrument
NCIC National Crime Information Center
OJJDP Office of Juvenile Justice and Delinquency Prevention
OCR Office of Community Revitalization
OL Operator's License
PD Public Defender
PO Probation or Parole Officer; Protective Order
PP Pre-Pay
PPO Preliminary Protective Order
PROB Probation
QA Quality Assurance
RA Risk Assessment
RDC Reception and Diagnostic Center
SAFE Substance/Alcohol-Focused Education
SAO School Attendance Officer
SC Shelter Care or Show Cause (or RSC - Rule to Show Cause)
SCV Supreme Court of Virginia
SDM Structured Decision Making
SHOCAP... Serious or Habitual Offender Comprehensive Action Program
SRO School Resource Officer
SRS Supervised Release Services
T&A Time and Attendance
TDO Temporary Detention Order (mental health hearings)
TIA Tried in Absentia
UCCJEA..... Uniform Child-Custody Jurisdiction and Enforcement Act

UUV Unauthorized Use of a Vehicle
VCC Virginia Crime Code
VCIN Virginia Crime Information Network
VIOL Violation
VIP Volunteer Interpreter Program (Fairfax County Juvenile Court)
VJCCCA..... Virginia Juvenile Community Crime Control Act
VJJA Virginia Juvenile Justice Association
VOP Violation of Probation or Parole
YASI Youth Assessment Screening Instrument (Department of Juvenile Justice)

COMPUTER RELATED:

BADGE Balanced Approach Data Gathering Environment (DJJ). Contains modules:
CPR - Community Programs Reporting
GMS - Gang Management System
JTS - Juvenile Tracking System
SIR - Serious Incident Reporting
CASPS Fairfax County and School Procurement System
CIT Court Information Technology
CrTO Courtroom Technology Office
DIT Department of Information Technology
FAMIS Financial Accounting Management Information System (Fairfax County)
IT Information Technology
JCMS Juvenile Case Management System (Supreme Court)
JDIS Juvenile and Domestic Imaging System (Supreme Court of Virginia)
JSVS Juvenile Secure Viewing System (Supreme Court of Virginia)
LAN Local Area Network
LMS Learning Management System (Department of Juvenile Justice training system)
PDF Portable Document Format
PTCC Pre-Trial Community Corrections Case Management System (Department of Criminal Justice Services)
RSIS Residential Services Information System (Fairfax County Juvenile Court)
SIMS Sheriff's Inmate Management System
VITA Virginia Information Technology Agency (DJJ)

DEFINITIONS

Abate Arrearage: A judicial ruling that an amount of money is no longer owed.

Abstract of Conviction: A recording made by a clerk that summarizes or “abstracts” pertinent parts of a judicial ruling concerning a criminal or traffic conviction. Abstracts are made of traffic convictions so that the information may be used by the Department of Motor Vehicles.

Abstract of Judgment: Recording made by a clerk that summarizes or “abstracts” pertinent parts of a judicial order concerning a monetary judgment. The purpose of the abstract is to forward the information to another court where the judgment will then be “recorded.” An individual who wishes to collect on the judgment may seek to do so through the second court. .

Adjudicate: To judge or settle while exercising judicial authority; to determine finally.

Adjudicatory Hearing: The hearing where the merits of a case are decided. Evidence on the factual issues is presented and the judge makes “findings of facts.” For instance, in a criminal proceeding, a judge makes a finding of guilty or innocent. In a case involving an adult criminal defendant, this hearing is a “trial.”

Adversary Proceeding: A proceeding with parties who oppose each other and contest each other’s position on the merits of the issues in a case. The party seeking relief from the court gives the other party notice of the hearing so that he has an opportunity to present his side of the case. In contrast, in an “ex-parte” proceeding, only one party’s view of the situation is presented and no notice given to an opposing party.

Advisement: When a judge takes a case “under advisement,” he or she wishes to take time to consider the case and deliberate about it before rendering a

decision. Therefore, he or she does not make an immediate ruling and postpones the disposition.

Affiant: Person swearing to an affidavit.

Affidavit: A written declaration or statement of facts made voluntarily and sworn under oath by a party before an individual who has the authority to administer oaths.

Aftercare: Care or supervision provided by the court through its probation staff for a child after he or she has been released from the Department of Juvenile Justice. “Parole” is the more commonly used term for “aftercare.”

Amend: To change or improve. An order may be “amended” when the circumstances of a case change significantly or when there is reason to remedy some fault or defect in the original order. In contrast to a change in an order that is made by a higher court through an appeal, the court amends its own order.

Amendment: A change (ordinarily for the better). An “amended” order is a changed order; an “amended” petition is a changed petition.

Appeal: To appeal to a superior court for a review and change of a lower court’s order.

Arraign: To bring a prisoner to the court to advise him or her of the charges, establish bond, advise the individual of his or her right to counsel, and settle certain other preliminary issues before scheduling a trial date.

Arrest: Take into custody; deprive a person of liberty by legal authority.

Assault: A threat made with the intention of doing bodily harm to another. An essential element of an assault is a real or apparent ability on the part of the person making the threat to do bodily harm to another. Mere words do not constitute an assault.

Attorney Advisement Hearing: The purpose of this hearing is to determine, prior to a trial date, whether a defendant or parent wishes to obtain an attorney, waive the right to counsel, or determine if he qualifies to have an attorney paid by the state.

Attorney Voucher: A document prepared by the court that authorizes payment to a court-appointed attorney or guardian ad litem.

Bail: Security given for a released prisoner's appearance for trial (may be in the form of cash or property). If a defendant fails to appear, the cash or property is forfeited to the court.

Bailiff: An officer of the court whose duties are to keep order in the courtroom, call witnesses, and take charge of a jury.

Battery: An unlawful touching or striking of a human being. Must be done without consent.

Bench Warrant: A judicial order directing the arrest of a person. Usually issued in cases of contempt or when a defendant or a witness unlawfully fails to appear at a hearing.

Beyond a Reasonable Doubt: A standard of proof that is the highest in American jurisprudence. This standard is used in criminal proceedings and requires that the trier of facts (a judge or a jury) be entirely convinced of the guilt of the defendant or satisfied to a moral certainty of the guilt of the defendant before rendering a guilty verdict.

Bill: A written statement of a plaintiff's case, as in a Bill of Complaint for a divorce. A term used in Circuit Court proceedings. A similar document used in the Juvenile Court is referred to as a "petition."

Burden of Proof: The duty or responsibility to prove a fact or facts in a legal action. For instance, in a criminal trial, the prosecution has the duty to present evidence that, if not rebutted, would prove the

crime before the defense has presented any evidence. The defense does not have to go first; the prosecution does. Another term for this is the "Burden of Moving Forward."

Burglary: Breaking and entering a dwelling with the intent to commit a felony. It is not necessary for the felony to be committed.

Capias: See "Bench Warrant"

Case: A general term for a controversy brought before a court for a decision.

Certification Hearing: A hearing where a determination is made regarding whether a juvenile accused of a felony offense should stand trial as an adult. If the juvenile is "certified," he must stand trial before the Circuit Court with the possibility of adult penalties being ordered, including serving penitentiary time or the death penalty in the case of a capital murder.

Child In Need of Services or "CHINS": A child whose behavior, conduct, or condition presents or results in a serious threat to the well-being or physical safety of the child.

Child In Need of Supervision or "CHINS": A child who is habitually truant from school or runs away from home.

Circuit Court: In the hierarchy of Virginia courts, the court that is higher than District Court but lower than the Court of Appeals and the Supreme Court of Virginia. These courts handle a variety of cases (civil and criminal) including those involving adults accused of felony offenses. Circuit Court hears appeals from a District Court and a Juvenile and Domestic Relations District Court. Circuit Court is a "court of record" as appeals of decisions from this court must allege an error "on the record" (the appeal must state that the trial court was "plainly

wrong” in its fact finding or did not apply the correct law in reaching its conclusion). The appeal hearing consists of arguments regarding these issues. No new trial, or “trial de novo,” is held. In contrast, a new trial does result when an appeal is taken from a District Court ruling to the Circuit Court.

Circumstantial Evidence: Evidence that is indirect and relies on inference. It is evidence that shows a fact from which, alone or in conjunction with other facts, another fact may be inferred. For instance, from evidence showing footprints in the snow on a bridge, it may be inferred that someone recently crossed the bridge.

Civil: An action that seeks to redress a private wrong. Civil suits relate to and affect only individual rights. Criminal cases involve public wrongs.

Clerk: Person employed in public office or by a court whose duty it is to keep records or accounts.

Clerk of Court: Person in charge of the clerks employed by a court.

Code: Published statutes or individual laws governing a certain area and arranged in a systematic manner; laws originating from legislative action.

Collateral: Money that a traffic defendant may pay to the court rather than go to trial. By doing so, the defendant is admitting guilt. When the fee is paid, it is said that the defendant has “posted collateral.”

Commitment: A disposition available to the court in most delinquency cases. A juvenile offender may be removed from his or her home with custody given to the Department of Juvenile Justice. When this happens, it is said that the juvenile is “committed.” “Commitment” is also a term used when a mentally ill individual is ordered to a state mental hospital.

Common Law: The body of law that originated and was developed in England and continues to be rec-

ognized as part of the law for most of the United States. During the reign of William the Conqueror, beginning in 1066, there was no code in England. Judges appointed by the king made this law as a result of decisions in the cases brought before them. The practice developed that one judge would follow the precedent set by his fellow judges in similar cases. Thus, the law developed “in common” among the judges. Case law continues to develop in the same way in the United States today, and this and code law are the two main bodies of law.

Commonwealth’s Attorney: The attorney for the state who prosecutes criminal cases.

Community Service Program (CSP): A disposition available to a judge in sentencing a juvenile offender. The judge orders the juvenile to work for community agencies for a specific number of hours with the dispositions coordinated and monitored through the Community Service Program.

Complainant: Individual who brings a complaint or controversy to the court for some resolution or redress.

Comprehensive Services Act for At-Risk Youth and Families (CSA): Virginia law that promotes a collaborative decision-making approach regarding funding services for “at-risk” juveniles and families

Confession: Voluntary statement made by a criminal defendant in which he describes participation in a crime. Unlike an admission, which relates only to a particular fact, a confession relates to the entire criminal charge.

Contempt: An act that constitutes a violation of a court order. Acts or threats of violence toward a judge, vile and insulting language directed toward a judge or the court proceeding, or misbehavior in the presence of the court that obstructs the administra-

tion of justice also are contemptuous. Such an act is “summary contempt” and may be punished immediately.

Continuance: A change in the scheduled court date. A judge may order a continuance if good reason is presented or the parties to a case agree to a continuance.

Controversy: A dispute that is open to settlement through the initiation of a legal action. This term is applied only in civil cases.

Copy Teste: A true copy of a court order that is stamped by a clerk with the words “copy teste” and signed. The stamp, in combination with the clerk’s signature, verifies the authenticity of the order and the judge’s signature.

Costs on Traffic or Adult Warrants: Processing fee a guilty defendant may be required to pay. This dollar amount is determined by the state legislature. When ordering this payment, a judge would impose a penalty and also tell the defendant that he or she is to pay “costs.”

Court-Appointed Attorney: A member of the Virginia Bar appointed to represent a defendant.

Court Not of Record: See “District Court”

Court of Record: See “Circuit Court”

De Novo: Literally means “anew,” “afresh,” “a second time.” Most often heard in the phrase “a trial de novo,” which is a hearing that results when an appeal is filed on a Juvenile Court decision. (See “Circuit Court” and “District Court”)

Decree: Proper term for a final ruling made by a court of equity (often misnamed an “order”); the proper term for a final ruling made by a law court. (See “Chancery”)

Delinquent Child: A child who has committed an act that would be designated as a crime if committed by an adult.

Deposition: The testimony of a witness taken out of court but under the authority of the court. Used only in Circuit Court proceedings. Depositions are usually taken in an attorney’s office with the questions asked by the opposing party’s attorney. The testimony is reduced to writing, and all or part of the testimony may be introduced at the trial in certain instances

Detention Hearing: A preliminary hearing at which time a judicial decision is made regarding whether a juvenile charged with an offense should be detained pending trial or final disposition. The hearing must be held immediately upon the juvenile’s apprehension if the court is in session; otherwise, it is held the next day the court sits. The juvenile is detained prior to the detention hearing on the authority of a detention order. (See “Detention Order”) The instances when a juvenile may be detained are limited and delineated by statute. Alleged CHINS offenders may not be detained in a secure (locked) facility; however, alleged delinquent offenders may be detained in either a secure or open facility.

Detention Order: An order that is signed by an intake officer or judge directing the police to take a juvenile defendant into custody and place him or her in a detention facility. The instances when such an order can be issued are limited and delineated by statute. A similar term used in the adult criminal justice system is “warrant.”

Dismissal with Prejudice: Dismissal that indicates the complainant cannot reinstitute the complaint if he or she wishes to do so.

Dismissal without Prejudice: Final dismissal that indicates the complainant may bring the same complaint to court again.

Dispositional Hearing: In a criminal case, the hearing at which the judge imposes the penalties for the offense committed. In a civil case, the hearing at which the judge decides what remedies to impose, such as awarding a child's custody to his or her mother or a child support award of \$400 per month.

District Court: In the hierarchy of Virginia courts, the lowest level of court. (See "Circuit Court") There are two types of district courts—General District Court and Juvenile and Domestic Relations District Court. Generally, the Juvenile Court is responsible for cases involving juveniles and family matters while the General District Court is responsible for minor crimes committed by adults and minor civil cases. The District Court is a "court not of record" because an appeal of a decision by this type of court does not have to allege an error by the court or an error "on the record." Upon appeal, which goes to the Circuit Court, an entirely new trial or "trial de novo" results.

Domicile: Where an individual has his permanent home. It must be the place to which the individual intends to return if he or she is absent. A person can have only one domicile at any one time.

Due Process: Generally, it is whatever procedures are needed or "due" in order to produce a fundamentally fair proceeding. It is the duty of the state to ensure these processes. Due process encompasses the idea that the state, with all its powers, should not infringe upon the rights of the many in order to bring a few to justice. Many due process rights are enumerated in the Bill of Rights—the right to notice, the right to an attorney, the right against self-incrimination, the right to subpoena witnesses, the right to confront and cross-examine, and others.

Emancipation: An order allowing a minor to live independently and free from the care and control of

his or her parents or guardians. A minor must meet specific code requirements before a judge is able to enter an emancipation order.

Enjoin: An order forbidding or prohibiting an act.

Ex-Parte: A hearing with only one party given the opportunity to be heard or to present evidence. The other party or parties involved in the case are not given notice of the proceeding. Since due process normally requires notice and the opportunity to be heard, ex-parte proceedings are only allowed when giving notice to another party would likely result in irreparable harm. For instance, in a serious child abuse case, giving notice to parents who allegedly caused the abuse before ordering removal of the child from the home could result in severe injury to the child.

Expunge: Removal and destruction of any reference, evidence, or records pertaining to a case. May be required by a court order or law. Juvenile records are destroyed within certain time limitations established by statute.

Extradition: A state's surrender of a criminal defendant to another state that he or she has fled in order to escape prosecution. The state desiring extradition must have the authority to try him or her and demand the surrender.

Felony: A crime as defined by the code and punishable by maximum penalties of death or imprisonment in a state prison.

Grand Larceny: In Virginia, the unlawful and felonious taking of another's property valued at more than \$200 without the owner's consent and with the intent to permanently deprive the owner of the property.

Guardian ad Litem: Literally "a guardian at law." These are attorneys appointed by the court to rep-

resent the best interests of juveniles who are the subjects of court hearings. Mandated by statute, they must be appointed whenever a parent is not present at a court proceeding, for child abuse and neglect cases, and in certain other instances.

Hearing Officer: Officer of the court who holds informal hearings involving juvenile cases that are diverted from the formal legal process by the court's Intake Unit. First offenses and minor crimes are most often handled in this manner.

Hearsay: Statement made out of court by an individual but offered to the court by another person as proof of the facts alleged therein. Hearsay is not usually allowed as evidence as the individual who made the statement is not present in the courtroom as a witness, cannot be cross-examined, and, thus, the truth of the statement cannot be tested. There are many exceptions to the "hearsay rule" with one of the most notable being admissions. For instance, individuals do not usually admit criminal liability; however, when they do, the statements are considered exceptionally reliable and admissible against them.

Informal Hearing: A process used to divert juvenile cases from formal legal process. The decision to divert to an informal hearing is made by an intake officer. First offenses and minor crimes are most often handled in this manner. The complainant, the juvenile defendant, and his or her parents attend; all sides have the opportunity to present their views and versions of the events, but strict rules of evidence and formal trial procedures are not used. A hearing officer presides at these hearings.

In Loco Parentis: Literally means "in place of parents." An individual who is not but acts as though he or she is the parent of a child is said to be "standing in loco parentis."

Intake Officer: Member of the court's probation staff who is vested with the statutory authority to receive, screen, and process any requests, inquiries, or complaints to the Juvenile Court. An intake officer may deny formal petitions in certain instances and divert cases to other services or resolve them at the time of intake.

Intake Sheet: Document generated by the court's computer. On one side, information regarding a defendant's past record, hearings, placements, and court program involvement is displayed (in a civil case, the history of the case is included).

Investigation and Report (I&R): A formal written report that is prepared by a court probation officer and includes, among other details, the defendant's version of the crime; a victim impact statement; the defendant's past record; past rehabilitative efforts; the defendant's family relationships; any psychological, educational, or physical handicaps of the defendant; and the probation officer's assessment of the case and sentencing recommendations. This report is ordered by a judge and presented to the court in a formal dispositional hearing.

Jurisdiction: The court's authority to act, which is conferred by statute or common law. A court must not only have jurisdiction over the subject matter of a case but over the particular thing or person involved in a case. Gaining jurisdiction over a particular person or thing may raise questions concerning adequate notice and a state's sovereignty over all within its own boundaries.

Juvenile and Domestic Relations District Court: A court created by statute with limited jurisdiction that hears matters involving juvenile offenses, offenses committed by one member of a family against another, offenses against minors, and certain civil controversies involving families. (See "District Court")

Larceny: The wrongful taking of another's property without the owner's consent and with the intent to permanently deprive the owner of the use of the property. (See "Grand Larceny" and "Petite Larceny")

Law Court: A civil court that awards money as a type of primary remedy. It is distinguishable from an Equity Court or Chancery Court. (See "Chancery") Circuit Court is both a law court and an equity court. In Circuit Court, a law case is assigned a "law number" and an equity case is assigned a "chancery number." When inquiring about a case in Circuit Court, one must know whether the case is on the "law side" or the "chancery side."

Legal Folder: A folder maintained by the court that contains all legal documents associated with a case, including petitions, motions, summonses, notices, and subpoenas.

Locally operated Court Service Units differ from those that are State operated in many ways. In a locally operated court service unit staff are county employees entitled to the protections of county personnel regulations, while judges and court clerks are state employees; staff salaries are funded by the county with partial reimbursement by the state; the cost of office space, equipment, and support services are borne by the county.

Minimum Standards regulate the operation of services and programs, establish requirements for staffing levels, staff qualifications, facility safety precautions, number of client contacts, documentation, and other operations.

Misdemeanor: A minor crime as defined by the code. Punishable by maximum penalties of less than a year in jail and a fine of \$1,000 or less.

Motion: A court pleading (statement requesting

certain action and setting forth the grounds therefore) involving a matter that is collateral to the main issue of a case. It is not the document that initiates the legal case. It may be oral, if made during a hearing, but is usually in writing. Some examples of motions are for court appointed counsel, to compel discovery, to suppress a subpoena, to amend an order, or to suppress evidence that was illegally obtained. When a motion is filed, it is stated that the party "moves" the court to take the requested action.

Nolle Contendere: A statement or plea to the court by a defendant that he or she will not contest the charge filed against him or her.

Nolle Prosequi: A formal entry in a record by which the prosecutor in a criminal action declares that he or she will not prosecute the case further.

Non Prosequitur: The plaintiff does not follow through with or pursue the legal action. If a plaintiff fails to take some step in a case that he should, the defendant may move the court to enter a judgment of non prosequitur against him.

Notice: Written information intended to apprise a person of some proceeding in which his interests are involved or informing him of some fact that he has a right to know. It is the duty of the notifying party to communicate this information.

Nunc Pro Tunc: Literally means "now for then." For example, if an order should have been entered two months ago but was not, a judge may now enter the order as "nunc pro tunc" and effective from the date it should have been entered.

Order: The ruling of a law court. (See "Law Court," "Decree," "Chancery")

Pendente Lite: Literally means "pending the litigation." A pendente lite order is temporary and is en-

tered pending the final outcome of a case. Pendente lite orders are frequently entered in divorce cases so that child support, spousal support, and child custody may be temporarily established pending the entry of the final divorce decree.

Personal Service: Delivery by a sheriff or other individual authorized to provide service of a subpoena, summons, or notice directly to the person named therein.

Petite (Petty) Larceny: In Virginia, the unlawful taking of another's property valued at less than \$200 without the owner's consent and with the intent to permanently deprive the owner of the use of the property.

Petition: A formal written document filed with the court that contains allegation of fact which, if proven, would give the court the authority to order disposition. It is the initial pleading in a case and is filed and sometimes prepared by the court's Intake Unit. In the Juvenile Court, it is used in juvenile cases involving offenses and in civil cases. Adult criminal cases come to the court by way of an arrest warrant issued by a magistrate.

Petitioner: The individual who files a petition.

Plaintiff: The individual who initiates a lawsuit in a law court. (See "Law Court")

Posting: Attaching a subpoena, summons, or notice to the door of an individual who cannot be served personally. This is done by a sheriff or other person authorized to provide service. It is then said that service was made by "posting."

Prima Facie: Literally means "at first sight," "in the appearance," or "on the face of it." A prima facie case is one in which the evidence is enough to prove the case if there is no evidence presented to rebut it. (See "Burden of Proof") In a criminal case, the

burden is on the prosecutor to present a prima facie case or the defendant does not have to present any evidence and the case is dismissed.

Probable Cause: An evidentiary finding that must be made before a criminal charge will be issued or further prosecuted. After a reasonable inquiry, the evidence must be sufficient to cause a reasonably intelligent and prudent individual to believe that a crime has been committed and the accused has committed the crime. The person making the finding must be neutral and detached from the case (not a witness, victim, complainant, or party) and is usually a judicial or quasi-judicial officer. Intake officers make findings of probable cause before certain petitions are issued and magistrates make the same findings before adult warrants are issued. Judges cannot detain juveniles accused of criminal offenses without making this finding or certify a juvenile to stand trial as an adult.

Purview: A judicial finding that the facts of a case place it within the scope and purpose of the law and, therefore, a judge may act. This word is not often used since the General Assembly enacted a statute permitting findings of guilty and not guilty in juvenile delinquency cases. Prior to this statute, such findings were considered improper in view of rulings that juvenile delinquency cases were essentially civil in nature. This word continues to be used in child abuse and neglect cases.

Reciprocal: A shorthand term for petitions filed under the Revised Uniform Reciprocal Enforcement of Support Act (RURESA). This act allows a petitioner living in one county or state to file against a defendant living in another county or state for child or spousal support. Thus, it is not necessary for the petitioner to go to the county or state wherein the defendant resides to prosecute the case.

Recording Sheet: Form used by the court recorder in Juvenile Court to make entries noting who is present and the disposition of the hearing.

Respondent: Individual being sued in an equity court. (See “Equity Court”)

Return: A sheriff or other individual authorized to make service returns a copy of a notice, summons, subpoena, order, or other document that he was required to serve to the court. With this, a statement in writing must also be delivered indicating either the time and mode of service or failure to effectuate service, which is usually written on the back of the document. (See “Personal Service” and “Posting”)

Rule: A judicial order directing a party to be present for a hearing to show cause or present reasons why some act should not be done. For example, a person may be ordered to show cause why he should not be held in contempt for violating a court order or failing to appear for a court hearing.

Service: The exhibition or delivery of a notice, summons, order, or subpoena to an individual by a sheriff or other authorized process server. The individual is thereby apprised of some proceeding in which his or her interests are involved, informed of some fact that he or she has a right to know, or advised of some action he or she is commanded to take. (See “Personal Service” and “Posting”)

Show Cause: (See “Rule”)

Social Folder: Folder maintained by the court that contains all “social” documents associated with a case, including psychological reports, supervision records, case plans, placement records, and investigations. It is separate from the legal folder. (See “Legal Folder”)

Status Offense: offense would not be a crime if committed by an adult (truancy, runaway)

Statute: An individual written law enacted by a legislative body. Found in a code where it is published and systematically arranged with other statutes.

Stipulation: Any agreement made by and between two opposing attorneys in a case.

Subpoena: A document issued by the court directing a witness to appear before the court on a specified date and time to present testimony or other evidence.

Subpoena Duces Tecum: A subpoena for documents or other physical evidence. It is issued by the court at the request of a party and instructs the person who has custody of the evidence to come to court at a designated time and bring the evidence with him or her.

Summons: A document issued by the court directing a defendant to appear in court at the date and time listed to answer an action (criminal or civil) filed against him or her.

Trial De Novo: A new trial, from the beginning. (See “District Court”)

Vacate: Set aside, cancel, or rescind. For instance, a judge may vacate a prior order of the court.

Venue: the geographical area over which a court may exercise jurisdiction

Virginia Juvenile Community Crime Control Act (VJCCCA): established in 1995 to provide a community-based system of progressive intensive sanctions and services that correspond to the severity of offense and treatment needs



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