

Juvenile Services Department

Court Orientation



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Office Hours: Monday-Friday 8:30am-5:00pm

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Introduction

Welcome to the Juvenile Court

The juvenile court has a three fold purpose to:

- Rehabilitate
- Hold youth accountable
- Ensure public safety



Every person involved in the court process has a specific job to perform in order to make sure these three purposes are accomplished. While the goal of the process is to achieve the best outcome for the youth and the community, the process can be confusing and sometimes frustrating for families.

Purpose of this book

This booklet will guide your family through the people and process of the court as well as inform you about available and helpful resources. This booklet is designed to be interactive. There are numerous places to write down notes and appointments.

Your Rights and Your Child's Rights

What is a Juvenile Delinquent?

A juvenile delinquent is a juvenile who has been found guilty of a delinquent act.

Rights for You & Your Child:

A. At the first appearance before the court, the juvenile and parents, legal guardian, shall be fully advised by the court, and the court shall make certain that they understand the following:

1. The nature of the allegations contained in the petition;
2. The juvenile's right to counsel. If the juvenile and if the parent or legal guardian is indigent, then the juvenile may be assigned counsel, as provided by law;
3. The juvenile does not need to make a statement. Any statement made, may be used against him/her;
4. The juvenile has the right to a preliminary hearing;
5. The juvenile has the right to a jury trial;
6. In the plea of guilty by the juvenile, it must be voluntary and not be the result of influence or coercion from anyone;
7. The sentencing varies, with how the juvenile is found guilty or pleads guilty;
8. The juvenile's right to bail, amount of bail, is assigned by the court along with going to trial through District Court, to be tried as an adult.

B. If the juvenile pleads guilty to the allegations in the petition, the court shall not accept the plea without first determining that the juvenile is advised of all the matters set fourth in (a) of this Rule and also determines that:

1. The juvenile understands the nature of the delinquent act committed, the elements of the offense which the juvenile is pleading guilty, and the effect of the juvenile's plea;

2. The juvenile understands the nature of the delinquent act committed the elements of the offense which the juvenile is pleading guilty, and the effect of the juvenile's plea;

3. The juvenile understands and waives his right to a trail, including the right to a jury trial;

4. The juvenile understands the possible sentencing alternative available in court.

5. The juvenile understands that the court will not be bound by representatives made to the juvenile by anyone concerning the sentence to be imposed.

C. If the juvenile pleads not guilty to the allegations in the petition, the court shall set the matter for an adjudicatory trial.

1. Attend all court hearings and obey all court orders.

2. Abide by the conditions of your Preadjudication release plan.

3. Stay in touch with your attorney and case manager and inform them of your current address and phone number.

4. You and/or your parents may be responsible for some or all treatment costs.

5. Be sure you know what you are supposed to do and when you are suppose to do it and then do it. It could make a difference whether you return to detention or not.

Who You Will Meet At Court

Everyone involved in the juvenile court plays an important role in achieving the three-fold mission of the court: to rehabilitate, hold youth accountable and ensure public safety. We will discuss the role of each of these players as well as focus on what you need to know about working effectively with these individuals.

Defense Attorney

Youth's Attorney Name and Phone Number _____

The defense attorney's role is to represent the youth in court, make sure the youth's rights are upheld, and advise the youth about what options are available to resolve their case. Although there are times when the youth may meet with the attorney before coming to court, it is common for the youth to meet the attorney for the first time in the court waiting room before the youth's first hearing. The attorney will typically speak to the youth privately at some point. Since defense attorneys represent the youth, the defense attorney may or may not explain the court process to the parents. Most, however, will be willing to communicate what they can as long as it is not legally confidential information and it is otherwise appropriate to do so.

Prosecuting Attorney (District Attorney)

The prosecuting attorney's role is to make sure that public safety is protected. They will do this by filing charges against the youth and recommending what they think are appropriate consequences. The youth and family will not usually have any contact with the prosecuting attorney outside of court, although the defense attorney and prosecuting attorney may consult with each other about appropriate resolution for the youth's case.

Judge

The judge presides over the court hearings to make sure that proper legal procedure is observed, and also makes decisions around the outcomes of the case. The judge makes decisions about whether the youth will stay in detention, whether the youth is guilty or not guilty of the crime charged, and what the youth is ordered to do. The youth and parents will not have contact with the judge outside of the court hearings.

Pre-trial Release Case Manager:

The case manager is responsible for the supervision of youth while they are on bond. They may require attendance of regular meetings, submission to random drug and alcohol testing, and electronic monitoring.

Court Process



The juvenile court process can take a few weeks to a few months. There are multiple hearings to attend, and depending on scheduling and other factors, these may happen weeks apart. Also, once a family arrives at court for their hearing date, they may wait several hours before being called into court. Everyone will have a unique experience; sometimes two or more of these hearings will happen during the same court appearance. Other times, each hearing will be a different court appearance.

First Appearance/Entry of Plea

Child will be advised of charges and enter a plea.

Date: _____ Time: _____

Status Conference/Motion Hearing

District Attorney & Defense Attorney will discuss possible plea agreement or decide if the case will go to trial.

Date: _____ Time: _____

Adjudicatory Hearing or Trial

Hearing will be held to determine guilt or innocence.

Date: _____ Time: _____

Dispositional Hearing

If plea of guilty is entered or finding of guilt by trial, sentencing will occur.

Date: _____ Time: _____

Tips for Attending Court Hearings

Dress: Appropriate dress for the court avoids gang-related colors or accessories, clothing that promotes drug or alcohol use, pajamas, cut offs or other overly casual clothing, or inappropriately revealing clothing. While the judges make decisions based on the merits of the case, how a youth and parent are dressed can influence their opinions. Youth in detention will attend hearings dressed in standard issue detention clothing.



Weapons: Weapons are prohibited in court, including guns, knives and other weapon-like materials. All persons entering the court are required to go through a metal detector.

Behavior: Persons in the court area are asked to refrain from engaging in behaviors that would be annoying to those around them or could cause damage to the building. This includes cussing, yelling, spitting, playing loud music and writing on or being reckless with furniture and other facilities. Security staff is onsite at the court to enforce these rules.

Other Helpful Tips:

1. Always be on time for court appearances, counseling and meetings with your attorney. Call if you are going to be late or cannot attend.
2. Address the judge as “Your Honor” or “Judge”. When a yes or no question is asked, respond with “Yes” or “No”. Do not nod your head or use slang words. Speak slowly and clearly.
3. Behave appropriately at court hearings and meetings. Enter and leave the room quietly. Stand when the Judge enters and leaves the courtroom.
4. Do not make inappropriate gestures, facial expressions or noises when someone says something you do not like.
5. Do not interrupt the judge while they are talking. You will have your chance to present your side on every issue.
6. Do not eat, drink, or chew gum at court appearances. Turn off cell phones and all other electronic devices prior to entering the courtroom. Remove your hat/sunglasses as well.

TDM'S

What is a TDM?

Within 7 days of your child being taken into custody, you will be contacted to participate in a TDM. A TDM is a Team Decision Making meeting in which your input is essential in making decisions about what is going to help your child and your family. An unbiased, trained person will be there to help guide your family to maintain strength and progress.



Who attends a TDM?

Each TDM is created for each family and child individually. No TDM looks exactly the same, it all depends on what each family and individual needs. Parents, siblings (if age appropriate), extended family guardians, Probation and Juvenile Justice, friends, and school peers can attend a TDM.

Based on 4 Beliefs:

1. A group can often be more effective in making good decisions rather than just one individual.
2. Families are the experts on themselves and their needs.
3. When families are included in decision making, they are capable of identifying their own needs and strengths.
4. Members of the family add to the value of the process of a TDM.

Benefits of a TDM:

- Improves quality of decisions by gathering more information leading to more ideas
- Increases consistency & accountability
- Shares responsibility
- Involves and gives a voice to families, caregivers, providers, and the community
- Provides development for a specific individualized focus group, by creating ownership, commitment and support
- Improves cooperation, communication and teamwork
- Encourages creativity
- Demonstrates that the “system” values protecting children and their families.

List of Services through the Juvenile Services Department

Restitution Assistance

Allows youth to work off their restitution by earning minimum wage while working on a community project

Useful Public Service

Youth volunteers within the community, with a monitoring cost of \$20.00.



Life Skills Plus

This program will help your son/daughter picture the future that's possible. They'll discover the importance of school, setting goals, and the consequences that come with the choices they make or have made.



Victim-Offender Mediation

Brings the victim and offender together to create consequences that helps to repair the harm that has been done



Enrichment Programs

This program provides youth with knowledge on how to handle certain situations, at home and in society.

Parenting Support

Provides help and support to parents whose youth are going through a difficult time. This program allows the parents to not only help themselves, but how to help their son/daughter.



Detention Screening Process

Process:

For those youth that are eligible for detention, law enforcement can screen their juvenile by contacting the Juvenile Service Department on call screener.

The screener will complete the Juvenile Detention Screening and Assessment Guide (provided by the Division of Youth Corrections) with the officer. The screener must speak to both the youth and the officer directly.



What do I need to provide?

Please be prepared to provide the staff with the following information:

If the juvenile is on any prescription medication, it needs to be inside the prescription bottle. They also need to be in possession of that medication when they arrive at Grand Mesa

If the juvenile is intoxicated or under the influence of narcotics, those juveniles who are: must be taken to detox. They may be taken to Grand Mesa only after receiving Medical Clearance by a doctor.

- If the youth has any injuries that could require medical attention.

Youth may be held in the Grand County Juvenile Holding Facility for up to 48 hours waiting to hear on a detention hearing.

Detention

Detention is a locked facility where youth may stay when they are either waiting for their court hearings or serving out a sentence. Going into detention for the first time can be a scary experience for both the youth and parents when they do not know what to expect. It is helpful to know that juvenile detention centers are required to abide by legal standards that outline requirements for safety, space, health and recreation. The list below outlines some of the programs, facilities and rules of deten-



Health Services: Most detention centers have a Health Clinic with a full time nurse, a team of mental health specialists, and a primary care doctor who will see the youth if they are injured or are sick. The youth may request to speak to a nurse or mental health staff at any time. Health and mental health information is private and can only be shared under very strict guidelines.

Visiting Hours: Parents/legal guardians can visit up to 3 times a week. Siblings under the age of 8 are also allowed. Other visitors must be requested by the Probation Counselor and approved by the Detention Supervisor. Visiting hours vary from detention center to detention center.

Phone Calls: Youth may make two telephone calls: one to his/her parents or legal guardians and one to an attorney.

Youths in detention receive:

- Three meals a day and an evening snack
- Clean clothing
- Personal hygiene items
- Opportunities for daily exercise
- Daily education program
- Opportunity for daily shower and access to a toilet and fountain as needed
- Opportunity to attend religious services of their choice

Detention Continued

Personal Property: When your youth is admitted to a facility, staff will inventory their personal property; store it in a safe and secure place until the youth is released. A list with all the property will be kept and a copy of the list will be placed in their permanent case file.

Contraband: Contraband is any item or article that has not been officially issued, purchased or approved, including items that can be used as a weapon, for the purposes of escape or bodily harm or that present safety concerns in the facility. Visitors found with contraband in their possession or found exchanging with a youth will be denied visitation privileges.

Items considered being contraband:

- Glass or similar breakable materials
- Firearms or any object that shots ammunition
- Knives, razor blades, explosives/fireworks
- Any drug not approved by medical staff (drug paraphernalia, alcohol, inhalants, aerosol cans, air fresheners)
- Natural and artificial tobacco products, lighter, matches
- Cash, checks, credit cards and money orders
- Tattoo-making equipment

Recreation Opportunities: Youth will be provided an opportunity for recreation and exercise on a daily basis. A minimum of one hour of physical activity is offered daily. Most programs have both indoor and outdoor space.

Daily Schedule: The youth will stay buys while they are in placement. Below is an example of a weekly schedule:

Sunday	Monday-Friday	Saturday
8:30-Breakfast	7:00-Breakfast	8:30-Breakfast
Free time	School	Free time
12:00-Lunch	11:30-Lunch	12:00 Lunch
Spiritual Services	School	Recreation
Recreation	Recreation	1:00-Visits
5:30-Dinner	5:30-Dinner	5:30-Dinner
Free time	Free time	Free time
8:30-Bedtime	8:30-Bedtime	9:00-Bedtime

Grand Mesa Youth Services Center



The Grand Mesa Youth Services Center is located in Grand Junction, CO. If the juvenile is sent to detention, they should not bring any personal items. Everything that they will need will be provided. Orientation is given as soon as possible, when the Juvenile arrives at the detention center. The juvenile has expectations in which they should follow.

Visiting Hours: Visiting hours is from 1:00-2:00pm on Saturdays. Only immediate family is allowed to visit, siblings must be over the age of 10. There is a maximum of 4 family members allowed. Also if you wish to send mail only letters are allowed.



Contact Info:

Phone Number: 970-242-1521

Fax Number: 970-242-8127

Mailing Address: 360 28th Road, Grand Junction, CO 81501

Driving Directions:

1. Drive West on I-70 toward Grand Junction
2. Take exit 37, merge to I-70 BL W toward Clifton/Grand Junction/ US-6
3. Turn left at 32 Road
4. Turn right at D Road
5. Turn left at 28 Road

Court/Community Resources

District Attorney
(970) 725-3371

Juvenile Services
(970) 725-3055

Fraser/Winter Park Police Department
(970) 722-7779

Kremmling Police Department
(970) 724-9918

Grand County Combined Court
(970) 725-3357

Luna Counseling
(970) 531-6173

Grand County Department of Social Services
(970) 725-3331

Public Defender
(970) 879-0645

Grand Futures Prevention Coalition
(970) 887-9655

River View Counseling
(970) 531-1996

Grand County Mentoring Program
(970) 531-7291

Grand County Probation Department
(970) 725-3495

Grand County Sheriff's Office
(970) 725-3343

Granby Police Department
(970) 887-3007

Glossary

Adjudication: A court decision, by the judge, that the youth is guilty of a charged offense.

Allegations: Something that a person says is the truth, but hasn't yet been proven (the offenses that the prosecutor accuses the child of committing are allegations until proven in court).

Arraignment: The first court hearing where the accused child is formally advised of the charges against them and of their rights (the accused person enters a plea of guilty or not guilty).

ART: Aggression Replacement Training which improves decision-making skills, anger control and moral reasoning.

Attorney: A trained legal professional licensed to represent people in court also called a lawyer.

Bond: A written order to appear in court to face certain charges. It usually requires that someone (the person who has been charged or someone acting for him or her) hand over something of value, either money or property, as a guarantee that he or she will show up.

Charge: The act that a child is formally accused of committing.

Conditional Release: Occurs when a respondent is released from court custody under supervision of a parent, social worker, or court service officer. There are usually specific conditions to the release that if violated will return the youth to court custody.

Continuance: A postponement of a court hearing.

Counsel: Another name for attorney.

Crime: See Offense

Cross-examination: Questions asked of a witness by the attorney.

Curfew: When a child is required by law or court order to be at home.

Custodian: The person who has the legal right to control what a child does and also the responsibility to meet a child's basic needs (parents, guardians, or the state can have custody of a child).

Detention: A locked facility where children wait for their next court hearing or placement.

Disposition: The juvenile justice system's version of a court sentence (a judge decides the disposition at a hearing).

Diversion: When a juvenile is referred to juvenile court as a first or second time offender who has committed an offense such as shoplifting, malicious mischief, or possession of alcohol, the cases may be handled outside of the court process. This is usually handled through a community based juvenile accountability board.

Due Process: Courts must follow a fair and just process; for example, they must give children notice of hearings and the right to present their side of the argument.

Evidence-Based Programs (EBP): Carefully studied treatment programs that have research that proves their effectiveness.

Failure to appear (FTA): A legal status that means the youth did not appear at a scheduled court hearing.

Felony: An act or serious crime that carries the potential punishment of long term detention (less serious crimes are called misdemeanors).

Guardian: An adult who has the legal right to make decisions about and care for a child. A guardian can be the child's parent, family member, an unrelated adult, or the state.

Hearing: Court meetings that may take place in the court waiting room with the attorney or in a courtroom before a judge.

Interrogation: The questioning of a respondent, suspect or witness.

Jurisdiction: The court's power to hear and to decide a case against a child.

Juvenile: Any individual who is under the chronological age of eighteen years old.

Mentor Program: One on one outreach and support programs by trained mentors.

Miranda Rights or Miranda Warnings: Warnings that are received when a child is arrested that advise him or her of the right to remain silent and the right to a lawyer.

Misdemeanor: A criminal offense that is less serious than a felony.

Offense: An act that if committed by an adult would be considered a crime.

Plea bargain: When a child's lawyer and the prosecutor make a deal to resolve an offense charge; usually the child agrees to admit to plead guilty in exchange for a reduction in the number or severity of charges.

Pre-adjudication status: Refers to when the judge has not made a decision about whether or not the youth is guilty.

Prosecution: The process of bringing a person to trial for criminal charges.

Prosecutor: A county attorney who charges a juvenile respondent with a crime and proceeds to obtain an adjudication.

Public Defender: An attorney appointed by the court to represent a juvenile respondent who is unable to hire an attorney.

Recidivating/ Recidivism: Repeated criminal adjudications.

Respondent: A youth under the jurisdiction of the juvenile court who is accused of violating any federal, state or municipal law.

Restitution: Payment to a victim by the respondent for damage or loss caused by the defendant.

Status Offender: A child who is charged with doing something that is only illegal for individuals under the age of 18, such as running away from home. Adults cannot be charged with status offenses.

Statute: A law that was adopted or passed by the state legislature.

Subpoena: A legal document requiring the person named in the subpoena to appear on a stated day and time at a specified court to give testimony in a case.

Trial: This is a hearing where the prosecutor and the youth's defense attorney will question witnesses on the details of the crime of which the youth has been accused. The judge will decide, based on the law and the evidence presented, whether the youth is guilty or not guilty of the alleged offense.

Testimony: A statement or declaration made to establish a fact or facts and given under oath.

Truant: A child or youth with five unexcused absences from school in one month or ten in a school year.

Witness: A person having information that is relevant to an issue being decided by the court.

Witness Interviews: Informal interviews conducted by the prosecutor or defense attorney before the trial at which victims and witnesses are questioned about their knowledge of the crime(s).

Youth: A juvenile between the ages of ten and seventeen. For the purposes of being charged with a delinquent act, it also includes anyone over the age of seventeen who is being charged with a crime committed prior to their eighteenth birthday.

NOTES: _____

