

==YOUR RIGHTS==

Throughout the legal process, you have rights as a crime victim.

You have the right to be notified of:

- your rights as a crime victim;
- contents of any plea agreements;
- changes in court proceedings;
- final disposition of the case; and
- information about whether the juvenile is in custody and with whom.

You have the right to participate in prosecution, including the right to:

- inform the court of the impact of the crime at the disposition hearing,
- request a speedy trial,
- bring a friend, family member, or other support person to the pre-trial hearing,
- object to the proposed disposition, and
- attend the disposition hearing.

You have the right to protect from harm.

- Tampering with a witness is a crime in Minnesota.
- Victims/Witnesses do not have to give their addresses in open court.
- Victims/Witnesses have the right to a safe and secure waiting area during the court process.
- Employers may not discipline or fire employees who are called to testify as victims or witnesses.

==CRIME VICTIMS= AND JUVENILE HEARINGS

Minnesota law prohibits the public from attending juvenile hearings in most cases. However, the court can grant exceptions to this rule if:

- a person has a direct interest in the case, such as a crime victim;
- a person has a direct interest in the work of the court; or
- a juvenile is alleged to have committed an offense or has been proven to have committed an offense that is a felony and was at least 16 years old at the time of the offense.

FOR MORE INFORMATION ABOUT YOUR RIGHTS OR THE JUVENILE JUSTICE SYSTEM, CONTACT:

- The Victim/Witness Assistance Program
Scott County Attorney's Office
Scott County Government Center
200 Fourth Avenue West
Shakopee, MN 55379-1220

(952) 496-8244

E-mail: attorney@co.scott.mn.us

Web: www.co.scott.mn.us

The Juvenile Court Process



AND YOUR RIGHTS AS A CRIME VICTIM

provided by
the office of

**Ron
Hocevar**

SCOTT COUNTY ATTORNEY

GENERAL INFORMATION

A juvenile has committed a crime against you, your family, or your property. You may have many questions about what happens after a police report is made. How does the legal system work? Does the court treat juveniles differently than adults? What are your rights as a crime victim?

This brochure explains how the court system works when a juvenile is arrested and charged with a crime. It will help you understand and be involved in the legal process.

HOW JUVENILE CASES ARE HANDLED

In a juvenile case, the victim does not bring charges against the accused. A crime is considered a wrong against the State, and the people of the State file charges. The county attorney represents the State, filing a petition against the juvenile and charging him or her with a crime.

A delinquent act is an act committed by a juvenile that would be a crime if committed by a person over age 18. When a juvenile has been charged with a delinquent act, the legal process is significantly different from the process used for adults.



The juvenile justice system works to treat and rehabilitate juvenile offenders. In addition, juvenile courts move quickly to resolve cases and provide the accused more privacy than adults charged with similar crimes.

INVESTIGATION AND CHARGING

A crime committed by a juvenile is investigated like any other crime. After the crime is reported, the officer conducts an investigation to decide if there is enough evidence to prove that the juvenile committed the offense. If the officer believes that there is enough evidence, reports are sent to the county attorney's office.

Next, the county attorney's staff will review the information, decide whether the evidence supports charges, and if so, file charges or petition the juvenile to court. If there is not enough evidence, the case may be rejected or returned to the officer for additional investigation.

DETENTION

A juvenile taken into custody for a crime may be detained. The arresting officer may release the juvenile to the custody of a parent or guardian or continue the detention. The law requires that a juvenile be released from detention unless certain extreme conditions exist. A juvenile in detention must come before the court within 24 to 48 hours for a detention hearing. Most juvenile offenders are not detained they are summoned to court by a mailed notice.

LOCATIONS OF HEARINGS

The four types of hearings in juvenile cases may take place in different locations. A juvenile offender's arraignment, pretrial and trial hearings occur in the county where the crime was committed. The disposition hearing takes place in the county of the juvenile's residence.

Juvenile Court Hearings

ARRAIGNMENT

At the arraignment hearing, the juvenile will appear in court and be asked to "admit" or "deny" the offense alleged in the petition. Juveniles are entitled to an attorney and may apply for an attorney to be appointed to represent them. An admission is equivalent to a guilty plea. Upon admission, the juvenile's case goes to disposition, either immediately or in the future. A denial leads to a trial.

PRETRIAL HEARING

In some jurisdictions, the judge may order a pre-trial hearing to decide issues of law before trial. Civilian witnesses are usually not called to testify at these hearings.

TRIAL

In most cases, juvenile trials are held before the judge. A juvenile offender has the same legal protections during trial as an adult charged with a similar crime. The judge will make a determination that the petition is "proven" or "not proven." If the judge finds that the petition has been proven, the case proceeds to a disposition hearing.

DISPOSITION

Once the juvenile enters an admission or is found guilty, a disposition hearing is scheduled. The judge has many options, including a warning, restitution, fines, community service, probation or detention. The disposition will depend on the offense, the juvenile's attitude, the juvenile's criminal history, and the availability of appropriate services.