

# Probation / Court

## Referral to the Department of Youth Services

The Juvenile Department serves youth who, at time of referral, are under the age of 18. Youth are dealt with either informally or formally, depending upon a variety of factors, including age, prior record and severity of the offense. Referrals are received from law enforcement agencies throughout the County. The intake appointment will be arranged by letter informing the parent/guardian of the allegations and a date and time for the intake. **Informal Probation** The informal process can include diversion programs that do not require going to court.

- **Formal Accountability Agreements (FAA)** – An FAA is a signed agreement between the youth, parent and Department of Youth Services that can last as long as one year and may include restitution, community service, fines and fees, evaluation or counseling. The FAA can be revoked at any time and youth may be taken to court if they do not follow the rules of their probation.

## Formal Probation

The formal process involves the filing of a petition and an appearance in court.

- **Money Judgment Sentence and Probation Order** – If the youth is found guilty of a crime or admits to the charges, there is a supervised period of probation. Youth and parents will meet with a probation officer in an intake meeting and go over the terms of probation before the adjudication/disposition hearing. That hearing will be the start of their probation period. If youth does not abide by the rules of their probation, the probation officers can issue different levels of sanctions, or issue a probation violation and go back in front of the judge. If the youth is violating probation beyond control, the juvenile department and court may order that the youth spend time in juvenile detention.
- **Court-Appointed Attorney** – In any case, youth are afforded the opportunity to ask for a court-appointed attorney. If they deny any charges they have the right to a trial to the court, where their case would be looked at by the judge in a formal trial setting with no jury. In most serious charges such as multiple misdemeanors or felonies, we recommend that you apply for a court-appointed attorney. When youth ask for an attorney, youth and parents are directed to complete an application and pay a \$20.00 fee, they are responsible for all or a portion of attorney fees, based on their financial circumstances.
- **Oregon Youth Authority** – If the offense is severe in nature, or, if the youth has not complied with conditions of probation, the court has the authority to remove the youth

from his or her home. The court can transfer legal custody to the Oregon Youth Authority (OYA), a state agency responsible for care and placement of youth who have committed crimes. OYA provides out of home care in a variety of facilities throughout the state, including foster care, group care, residential treatment facilities and youth correction facilities. Youth are committed to youth correction facilities when they pose a risk to the community and are not motivated to change their behavior.

## **Probation Responsibilities**

- Juvenile probation is a strategy used by the court and juvenile department to define boundaries for youth and hopefully eliminate negative behaviors. It provides an opportunity for youth to pay back the victim/community for the loss that occurred. Whether informal or formal probation, each youths' probation is a little different depending on the circumstances of the case. While on probation the youth is expected to cooperate with her/his probation officer/court counselor, family and other community resources such as school. It is the responsibility of the youth and parents to cooperate with sanctions/services arranged through the juvenile department, including but not limited to; assessments, counseling, alcohol/drug treatment, community service and payment of fines and fees and restitution.

## **Court Guidelines**

If you don't follow these guidelines, you will be asked to leave and change your attire or change your attitude!

- No cell phones in the court room, they need to be left with the Court Room Security Officer outside of the courtroom, or leave them in your car.
- Speak up and speak clearly you are always being recorded, answer questions "yes sir/your honor or no sir/your honor.
- No food or drink in the courtroom, including gum.
- Be respectful to all persons in the courtroom including the judge, attorneys, probation officers, staff, audience, and defendants.
- Dress modestly; wear clothing that is clean and without rips and holes.
- No low cut skirts, no see through clothing, no halter tops, backless tops or tube tops.
- Tank tops must have a 1 inch strap and no gaps under the arms (this applies to men and women.
- Skirts and shorts must be knee length (if you have to ask then it's too short.)
- No bare midriffs, no spandex, no flip flops, no hats or bandannas.
- Undergarments are not to be visible, no saggy pants or underwear worn on the outside of your clothing.

- No shirts with logos, innuendoes, symbols or that are sexually suggestive.
- No implied or direct advertising of tobacco, alcohol, or drugs on any clothing or jewelry.
- In general tuck in and button up.

## **Goals for Juvenile Justice**

The goal is to help youth develop positive decision-making skills and become responsible for their own actions. The Department of Youth Services understands that youth today deal with complex issues and change takes time. We strive to intervene in ways that make a difference, to help youth internalize positive changes in their lives. Our department aims for a balanced approach to juvenile justice, which includes:

- community protection,
- holding youth accountable for their actions, and
- providing competency development/skill building activities.