

THE CONNECTICUT

JUVENILE JUSTICE SYSTEM:

A GUIDE FOR YOUTH AND FAMILIES



CCEP

Connecticut Center for Effective Practice

THE CONNECTICUT JUVENILE JUSTICE SYSTEM: A GUIDE FOR YOUTH AND FAMILIES

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ONE:

INTRODUCTION

INTRODUCTION

ONE:

From late childhood into adolescence, young people experience dramatic changes as they develop physically, mentally, emotionally, and socially. Sometimes, these changes can lead to unhealthy or negative activities, and as a result, millions of adolescents in the U.S. come into contact with the juvenile justice system each year.

In Connecticut, children enter the juvenile justice system for illegal acts committed up until their 16th birthday. Under certain circumstances, however, a child as young as 14 can be tried as an adult. Severe consequences can result from crimes committed in adolescence, so it is very important for young people and their families to have accurate information about their rights, the roles of people within the system, and how to advocate effectively for themselves.

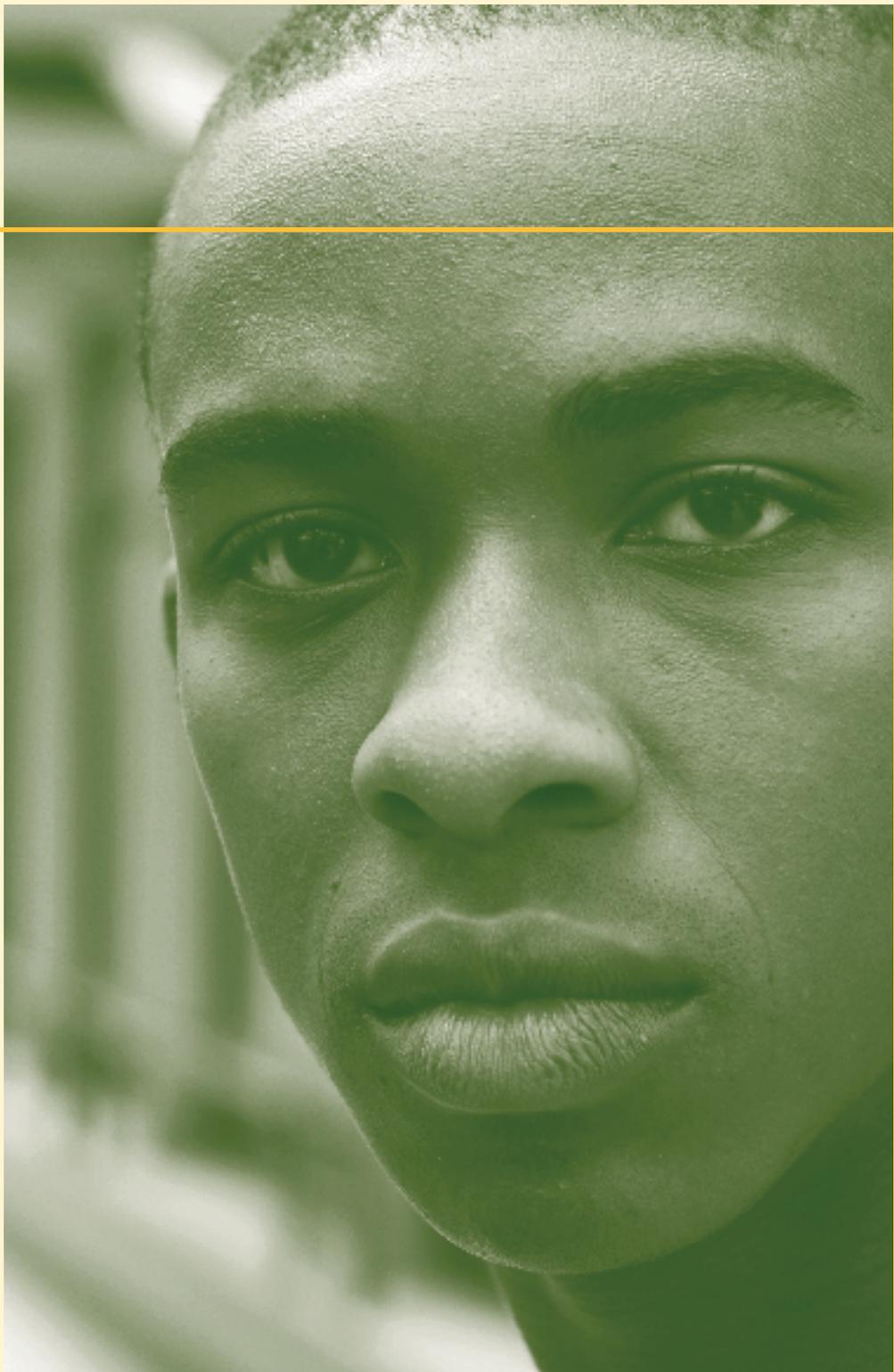
Between 2005 and 2006, about 15,000 children were referred to the juvenile court system in Connecticut for *delinquent behaviors*, as well as for *status offenses* (behaviors that would not be considered illegal for an adult, such as chronically skipping school, running away from home, or being beyond the control of a parent). Children of every background, race, ethnicity, and gender are represented within the Connecticut juvenile justice system.

Involvement with the juvenile justice system can be a frightening and confusing time for children and families. Unfortunately, there is no easy way to prepare ahead of time. If your child or a young person close to you becomes involved in the juvenile justice system, it is essential to know how the system works, your rights and the child's rights, and what to expect at each stage of the process.



Although involvement in the juvenile justice system is difficult for families and children, it can also provide an opportunity for children who have emotional and behavioral difficulties to get the treatment and services they need. If families or other concerned adults know about the system and about the child's rights and can work effectively with juvenile justice personnel, getting appropriate help is far more likely.

This booklet will help guide you through the complexities of the juvenile justice system in Connecticut. While it can't address every situation or question, it will answer frequently asked questions, provide explanations about legal rights, define terminology, and generally make it easier for you to cope with the stress of juvenile justice involvement.



TWO:

EVERYONE

SHOULD
KNOW
THEIR
RIGHTS

EVERYONE SHOULD KNOW THEIR RIGHTS

TWO:

Our rights as citizens are the things that protect us in certain situations. Some rights are found in the U.S. Constitution, while others are found in either state and/or federal law. Children and youth in the juvenile justice system should know their rights so they can protect themselves.

For example, if a police officer tells a child that he or she has the right to remain silent, the child can decide whether or not to answer questions the police may ask without being penalized. Children and youth cannot get into trouble for deciding to exercise their rights. The decision to make a statement requires a parent to be present. Children should exercise their right to remain silent (and give only their name, address, phone number, and date of birth) until their parent is present.

Miranda rights

The U.S. Constitution guarantees many rights for those suspected of crimes. Many of the rights in the Constitution, such as the right to remain silent and the right to an attorney, are designed to protect those accused of a crime. These rights are given to citizens through the 5th and 6th Amendments to the U.S. Constitution affirmed by the Supreme Court in a case called *Miranda v. Arizona*. That is how they came to be called Miranda rights.

The Miranda rights or warnings are the statements that police are required to make as soon as a person is arrested. They are:

- **The right to remain silent**

It is important that children provide basic identifying information when they are arrested, such as their name and date of birth. Police, probation officers, and prosecutors can ask a child to talk about the crime, but a child and parent have the right to refuse to talk to them. Anything a child or parent says to the police, probation officers, or prosecutors can be used against them later.



- **The right to a lawyer**

Children have a right to ask for help from a lawyer before answering questions about a crime they are accused of committing. The law states that as soon as a child asks for a lawyer, the police must immediately stop questioning the child until they provide a lawyer who will represent the child. Sometimes, it may be necessary to continue to refuse to answer questions, even after a lawyer is requested.

- **The right to know the charges**

Children have a right to know what charges are being brought against them. Police must tell children and their parents what crime the police believe the child has committed.

- **The right to talk to parents or guardians**

Children have the right to talk to parents or guardians and to have them present before answering questions by the police or probation officer about a crime. If a child asks to talk to his or her parents or guardians, all questioning should stop immediately. Anything said by children outside the presence of their parents would not be admissible in court.

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Rights of children in detention

Sometimes young people may be brought to a juvenile detention center after they have been arrested or ordered by a judge to be detained. A juvenile detention center is a locked building where the court holds children until their cases have been resolved or a judge releases them. A judge reviews cases within 24 hours after an arrest and makes a decision about whether children can go home or whether they should remain in detention. A review of probable cause may be within 48 hours on weekends or holidays, and the decision about detention could take longer because the hearing won't be until the next business day following admission (which could be as much as three days later, if Friday or Monday are holidays).

Children held in detention may be considered to be dangerous to themselves or other people, or they may not be trusted to cooperate with parents or guardians or to show up for a future court hearing. Some children are held in detention because they are charged with serious juvenile offenses and pose a threat to community safety. Others are held in detention because of dangerous behaviors that result from serious (but previously undetected) mental health problems, and some are there because it is not safe for them to return home.

When children are placed in detention after a hearing, a subsequent hearing is held at least every two weeks to determine if they should remain there.

When a child is placed in a detention center after an arrest, he or she has special rights in addition to the ones previously listed. They are:

- **The right to phone calls**

This may be limited to calling a lawyer, probation officer, parents, or guardians. When a child speaks to his or her attorney, the detention facility does not have the right to limit the length of the telephone call. However, the facility can limit the amount of time that a child communicates with family members.

- **The right to visits**

Children have the right to visits with their lawyer at any time. However, these visits are encouraged to take place during normal visiting hours. While other visits are considered a privilege, most children in detention are allowed regular visits with parents and guardians, at specified visitation times. If a child has been in detention for more than 30 days, siblings can be considered for visitation as well.

- **The right to send/receive mail**

Each facility has specific policies about mail. The staff of detention facilities has the right to read all mail, unless it is to or from a lawyer. If a child writes to his or her lawyer, he or she must place the letter in a sealed envelope and indicate on the envelope that it is for his or her lawyer.

- **The right to attend school**

After a specified period of time – 10 days in Connecticut – a child has the right to go to school, to receive any essential education services designated by law, and to get credit for the work done while detained. This includes special education provisions.

EVERYONE SHOULD KNOW THEIR RIGHTS

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- **The right to medical care**

When children have a medical, dental, or mental health condition, they have the right to adequate health care. This includes the right to see a health care professional and to continue any necessary medications or treatment services required prior to detention or identified while in detention. If a child feels that he or she needs to speak to a mental health professional or a medical health professional while in detention, it can be requested without having to give details to the detention staff. Detention will not accept medication for a child given to them by a parent or guardian. If detention staff is informed of medication that the child takes and of the child's treating physician, they must contact the doctor, verify the medication, and secure it within a short period of time.

- **The right to be safe and free from harassment and discrimination**

Children have the right to request a secure space or protection from violence if they feel threatened or endangered. Also, children have a right to be free from harassment or discrimination based on race, religion, sex, orientation, lifestyle, gender, or disability.

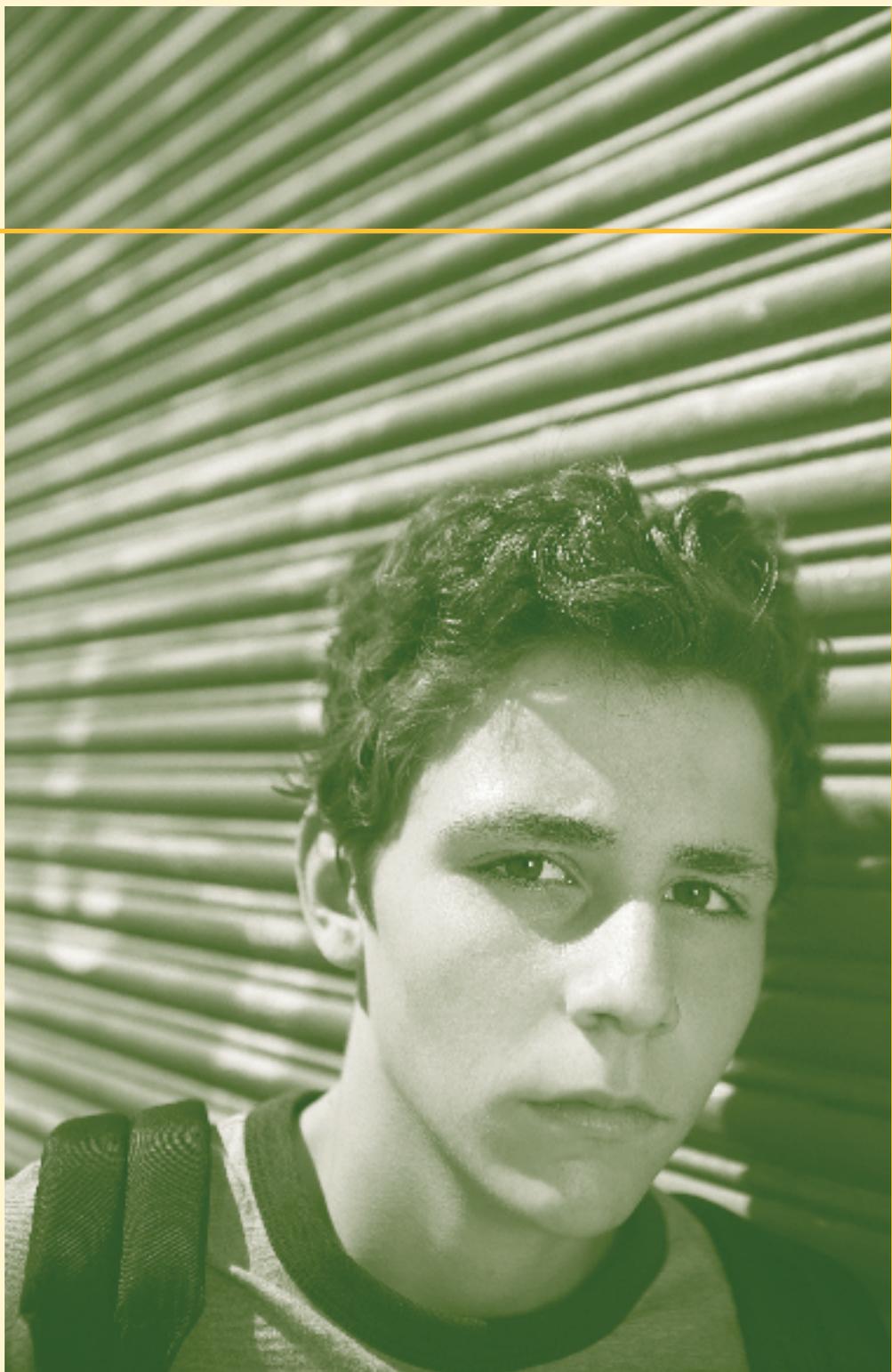
- **The right to food, clothing, and exercise**

Detention facilities must provide food that is sufficient, nutritious, and sanitary. They must also provide clean clothing, basic recreation, and exercise each day.



When a detained child's rights have been violated, there are several options. If there is an emergency, the child should contact his or her lawyer. The lawyer will be able to provide advice and make a formal complaint if necessary. If there is not an emergency, a child can always file a complaint or grievance by filling out a simple form and dropping it in a confidential box.

A grievance is a formal way for children to complain about their conditions or treatment. Grievances are best handled when they are written, dated, and shared with detention administrators and the child's lawyer. There is also an ombudsman who frequents the facilities to ensure the children are safe and well cared for. This person talks to children at most visits.



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THE CONNECTICUT JUVENILE JUSTICE SYSTEM

THREE:

Connecticut's juvenile justice system involves two of the three branches of state government. The **Judicial Branch** includes both the courts and the Court Support Services Division (CSSD), which is responsible for detention and probation. The **Executive Branch** is involved through the Department of Children and Families (DCF). Together, these agencies provide a system designed to hold children accountable for their actions, protect the community, and provide essential social services to children and families.

In Connecticut, a "child" is any person under 16 years of age and a "youth" is any person who is at least 16 but not yet 18. Currently, the Connecticut juvenile justice system serves people for crimes allegedly committed prior to their 16th birthday.*

Throughout this guide, the term **juvenile justice system** represents both delinquency petitions and Family with Service Needs (FWSN) petitions. Both of these are described in greater detail on Pages 26-27.

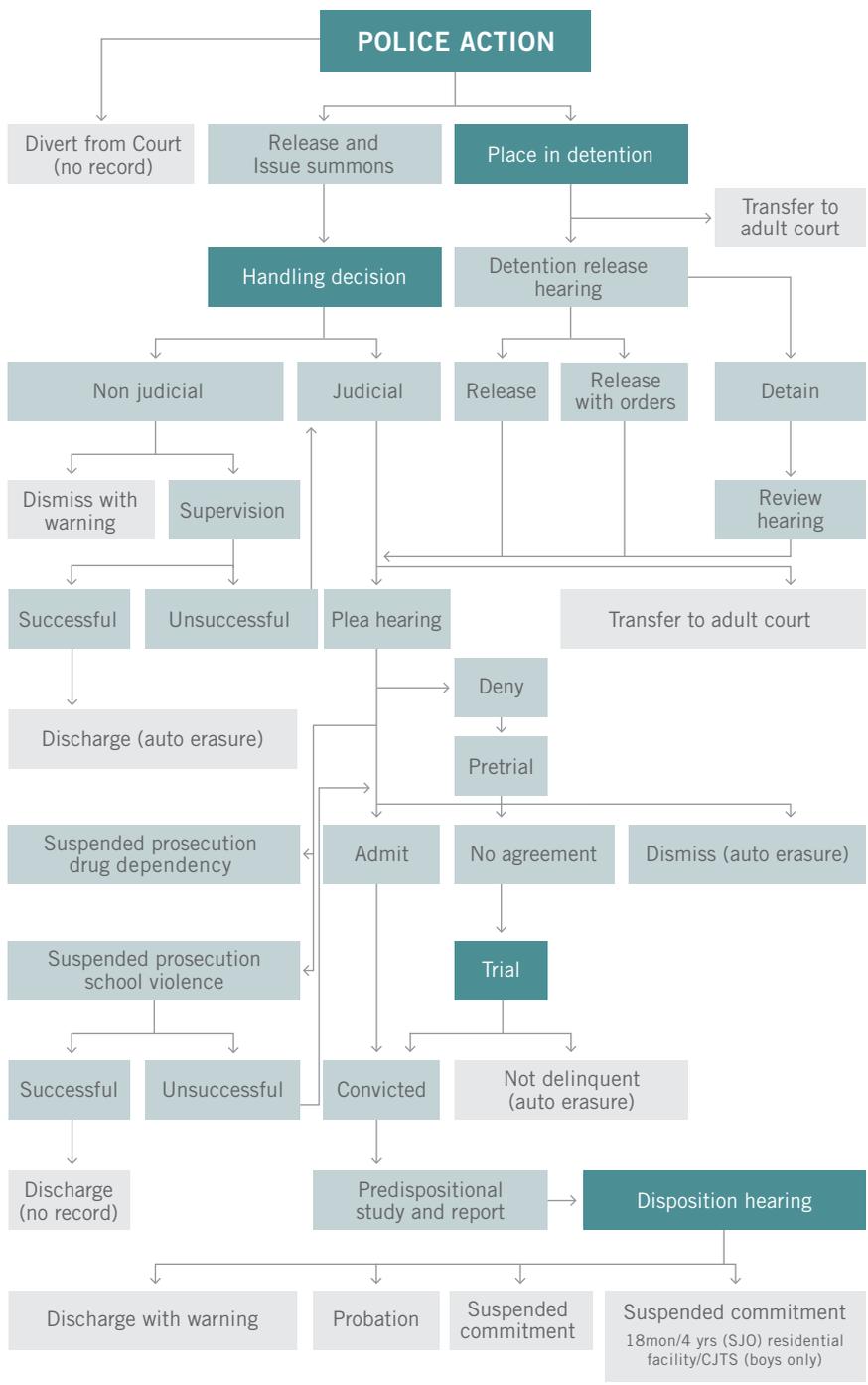
How children enter the system

There are three ways to enter the juvenile justice system in Connecticut:

1. through police contact (either in the community or school),
2. when parents, guardians or other individuals identified by the statute file papers with the court,
3. through school referrals, for truancy or defiance

Most children enter the system by coming into contact with the local police after engaging in actions that the police believe violate the law. Children can also enter the system when parents or schools have requested court involvement after trying unsuccessfully to control the behavior of children in the community.

* Current efforts are under way in Connecticut to raise the legal age to 18.



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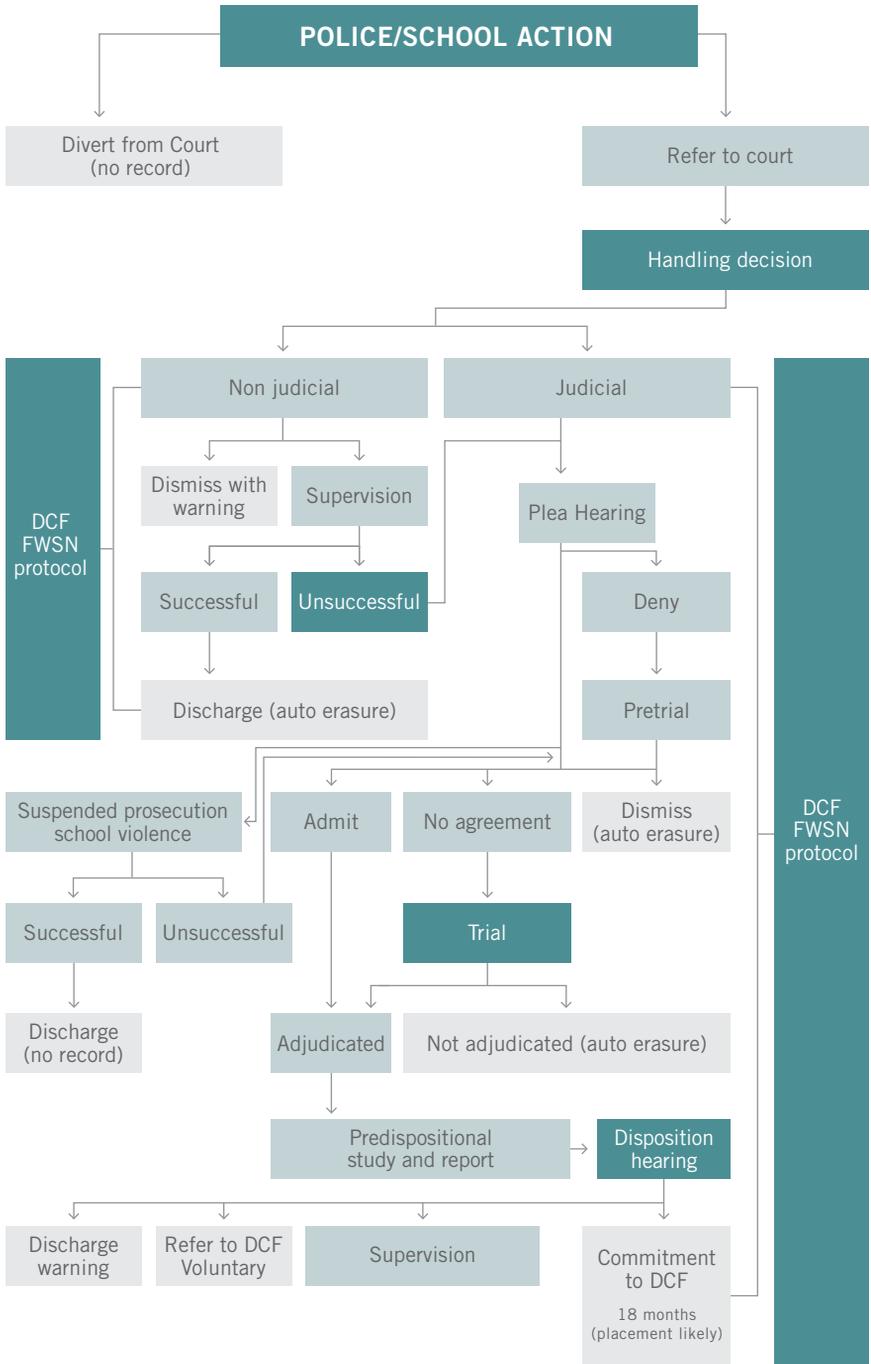
Children can be brought before the court for actions that would not be considered crimes if committed by adults, such as skipping school, staying out past curfew, or running away from home. These are called “status offenses” and are processed through a Family with Service Needs or Youth in Crisis referral.

A child and family’s journey through the juvenile justice system is affected by many potential decision-makers in the system, including the police, community agencies, the schools, the Court Support Services Division, the probation and parole officers, the courts, and the Department of Children and Families. The state Department of Correction (for children handled through the adult criminal justice system rather than the juvenile justice system) may also become involved.

When a child is brought to the attention of police, the police have several options other than arrest. The police can:

- refer a child to a community-based organization
- confer with the parents and then release the child
- send a child to formal diversion programs, or
- consult with a youth service agency (if available in the community)

What happens varies by community, based on available services and police department practices and policies. If programs in the community are not adequate or if the offense is a serious crime, the police can choose to arrest a child, alleging that the child’s actions make them a “delinquent.”



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Juvenile Review Boards and Youth Service Bureaus are panels of town citizens or employees – set up differently depending on location – that are created by town or government officials as a way of diverting children away from the juvenile justice system and preventing additional criminal activity. These boards can offer children and families services, and if the family and child accused of wrongdoing participate, a juvenile delinquency record can be avoided. There are approximately 56 such boards throughout Connecticut that are funded locally. If arrested for a low-level offense for the first time, a child might qualify for this program. This program is one of the many listed in **Section Four: Services to Help Youth and Families**, which begins on Page 44.

Review boards and youth service bureaus are voluntary and require that the child and parent agree to participate in services. It is also required that children admit responsibility for the offense(s) for which they are charged. Instead of going to court, a Juvenile Review Board might direct a child to make payment to victims, participate in a tutoring program, get a job, go to counseling, or perform community service. Occasionally, the board can decide that referral to the court is more appropriate.

What happens after a child is arrested?

When a child is arrested, the police send the case to the *Superior Court for Juvenile Matters*. At the time of arrest, a child may be released to the family or detained in a detention center, or rarely, when released on bond by a judge. If the child is age 14 or older and has committed certain crimes, the Superior Court for Juvenile Matters may transfer the case to the adult criminal court.



In some very serious cases, the juvenile court is required to transfer the case to the adult court. Statements made by children without a parent present are admissible once a case is transferred, even though the statements would be excluded in juvenile court. Connecticut law currently requires that all persons age 16 and over who are accused of committing a crime before turning 16 are handled in juvenile court.

Superior Courts for Juvenile Matters are located in 13 cities and towns throughout Connecticut. (See Section Six for a list of courts.) Once a referral is received by the court, a decision is made by a juvenile probation supervisor in CSSD about whether that case should be handled judicially or non-judicially based on rules established by the judges of the Superior Court. Cases that involve felonies, serious juvenile offenses, offenses involving the sale or possession with intent to sell drugs, weapons, or involving the unlawful use of a motor vehicle must be handled judicially. The case of a child who has been previously adjudicated or who has had two prior non-judicial cases, must also be handled judicially.

“Judicially” means there is a court hearing before a judge. *“Non-judicially”* means there is no judge or hearing, and a probation officer handles the entire matter.

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Juvenile courts differ considerably from adult courts. There is no jury, and all decisions are made by the presiding judge. Juvenile courts are closed to the public (except for victims and their families, who are sometimes allowed in court). In juvenile cases, the court and police records can be erased if the offender is able to meet certain conditions.

A FAMILY WITH SERVICE NEEDS (FWSN) IS A FAMILY WITH A CHILD WHO:

- a) runs away without just cause
- b) is beyond the control of his/her parents or guardian
- c) has engaged in indecent or immoral conduct
- d) is truant or continuously and overtly defies school rules and regulations
- e) is 13 to 15 years old and has engaged in sexual intercourse with a person who is within 2 years of his/her age.

First or second misdemeanor (less serious) offenses and most Family with Service Needs (FWSN) referrals are generally handled non-judicially. A juvenile probation officer may supervise that type of case for up to 180 days, dismiss the case with no action required, give a warning, or refer the child to perform community service, get counseling, and/or make restitution to a victim.

More serious offenses, and cases in which previous non-judicial handling was unsuccessful, are handled judicially. Judicial handling has several steps, including a plea hearing, a pretrial hearing where the lawyers meet and where most cases are settled, a dispositional study (social report) by the probation officer, possibly an adjudicatory hearing (trial), and a dispositional hearing (sentencing) by the court.

Possible outcomes of a case that goes before a judge are: 1) no adjudication or “nolle” (delinquency case not prosecuted and kept open for 13 months), 2) dismissal, 3) supervision, 4) commitment to DCF for either services or residential placement, or 5) a suspended commitment pending satisfactory probation.

ADJUDICATION

is a hearing at which the juvenile court judge or other judicial officer determines that a juvenile is responsible for the offense that has been filed.

What happens if a child is placed in detention?

If the judge hearing the case believes that the child is a risk to himself, herself, or the community, the court will order that child be detained in a detention center or offered alternatives to detention, such as day programs.

Children in detention tend to have greater mental health service needs than other children. The state of Connecticut had been under a federal court order to provide a coordinated system of assessments and services for approximately 2,000 children who are admitted to detention annually. These services, while no longer mandated, continue to be provided by DCF.

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What happens to a child placed on probation?

Children who are placed on probation are supervised by a probation officer who works for the Court Support Services Division (CSSD). Based on the findings of the court and the results of the dispositional study, the probation officer may recommend conditions of probation, such as victim repayment, counseling, a day treatment program, random drug tests, in-home services, or other conditions that are then ordered by the court. The court always makes the final decision on these conditions of probation.

The probation officer uses a structured screening tool that helps guide the probation officer's recommendation about the appropriate level of supervision based on the child's history, background, and behavior. For instance, a child's probation officer may ask that a child be referred for an evaluation by a psychologist or psychiatrist who is contracted by the state to provide mental health evaluations.

Family with Service Needs (FWSN) and Youth in Crisis (YIC)

The other point of entry to the juvenile justice system is through a *Family with Service Needs* (FWSN) complaint or a *Youth in Crisis* (YIC) complaint filed by a parent or guardian, school personnel, or others who are allowed to file such a complaint. CSSD and DCF help children and families obtain services through the FWSN process.



When a complaint is filed, the person filing the complaint with the court is alleging that a child is either “truant,” “a runaway,” “beyond control,” “defiant of school rules,” or “having sexual intercourse.” For youth age 16 but under 18, families or schools can file a complaint alleging that the youth is a “Youth in Crisis” for truancy, being beyond control, or being a runaway.

Both FWSN and YIC complaints can be handled either judicially or non-judicially. Children and families requiring more intensive services are referred to DCF, and the services are coordinated jointly by CSSD and DCF. Unsuccessful FWSN or YIC cases that are handled non-judicially can be brought before a judge.

As of October 1, 2007, the Judicial Department is prohibited from placing in detention any non-delinquent child whose family has been adjudicated through the FWSN process or adjudicating such child as delinquent solely for violating a court’s FWSN order.

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How should children behave when they become involved with the juvenile justice system?

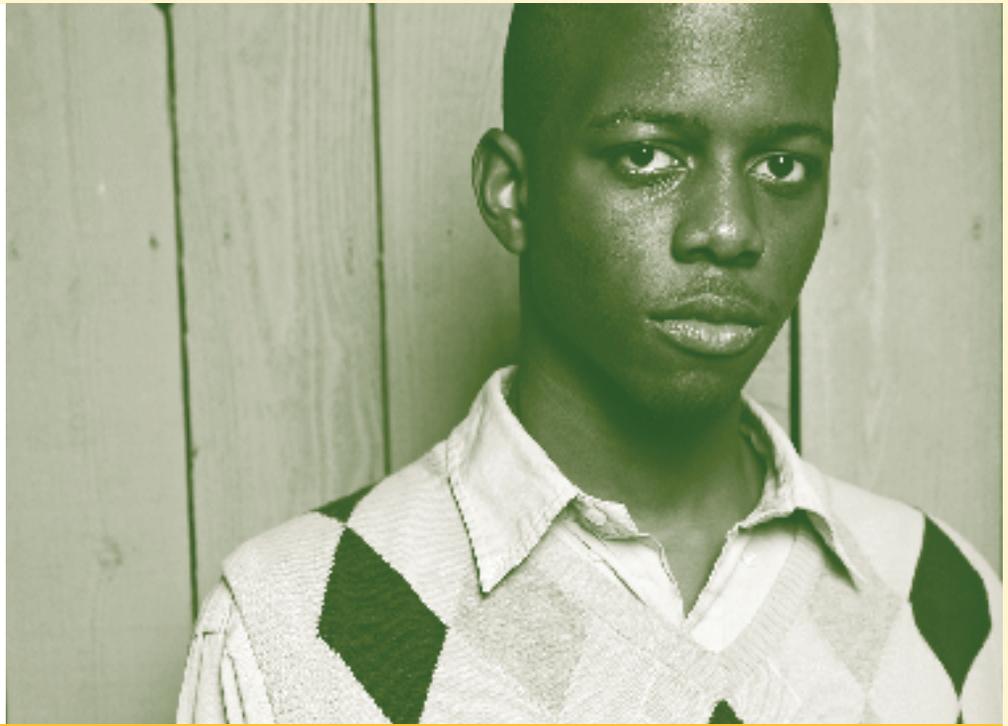
When children have been stopped by the police because they are suspected of committing crimes, it is important for families to seek help and important for children to know how to conduct themselves. Children are always entitled to have a parent or guardian present during any questioning by police.

Important Tips for Children and Adolescents

Be polite and respectful. It is important that children be respectful towards the police officer(s) who are speaking with them. When people are scared, they sometimes “mouth off” or act tough. If a suspect “mouths off” with police, that is very likely to be included in the police report, which goes to the court. It is important to acknowledge any questions and follow the officer’s instructions exactly.

Keep hands where the police can see them. Never put your hands in your pockets for any reason unless asked. You don’t want the police to think that you have a weapon.

Stay calm and follow instructions. Police have the right to touch you and may sometimes handle you roughly. As difficult as this may be, you must never struggle with police. Being charged with resisting arrest or assaulting a police officer is a very serious charge.



Remain silent, except when providing your *name, address, age, and telephone number*. The state may lawfully use anything you say to the police to help them convict you of the crime. If police insist that you give information, ask to talk with your lawyer, parents, or guardians. The police are not allowed to question a child without having a parent or guardian present. However, children should be polite to the police and be able to give the name of their lawyer if they have one. It is, of course, important to cooperate with police if someone's safety is at risk or threatened in any way and you can provide information that will help police officers to keep yourself and others safe.

Ask to see a lawyer right away and don't sign anything without talking to a lawyer. Once you have asked for a lawyer, the police are required to stop asking you questions. If a family cannot afford a lawyer and can meet certain income criteria, arrangements are made to have a lawyer appointed at no cost.

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THREE:

What do the charges mean?

There are two types of offenses, status offenses and delinquency offenses, described in detail below.

Status Offenses

These offenses are only illegal if a child or youth is younger than 18 years old. Adults cannot be charged with status offenses. These are the types of offenses that lead to a FWSN or a YIC petition. If referred to court on a status offense (skipping school, staying out past curfew, running away from home, etc.), children can legally be held at the police station “in protective custody” for up to 12 hours. They cannot be locked in a cell, held in detention, or placed in a training school.

If a child has already been adjudicated through the FWSN process, and has violated court orders, he or she may be charged with violation of a court order.

Delinquent Offenses

A *delinquent* child is anyone found by a Superior Court for Juvenile Matters to have violated any federal, state or local law prior to their 16th birthday.

Delinquent offenses may be categorized as either misdemeanors or felonies.

Misdemeanors are less serious criminal charges, such as shoplifting an inexpensive item, destroying a mailbox, underage drinking, or trespassing on private property. Felonies are more serious crimes, such as possessing or selling drugs, carrying a handgun, assault, or breaking and entering.

Some felonies, including first- and second-degree assaults, murder, arson, kidnapping, and rape are much more serious and may be considered to be serious juvenile offenses. If a child commits this type of felony, he or she is treated as a *serious juvenile offender*. A prosecutor can transfer any felony to the Superior Court for Criminal Matters from the Superior Court for Juvenile Matters (if the child is 14 or 15 years old at the time of the offense), and the child will be subject to the adult penalties if convicted of the crime.

What happens after a child has been arrested depends on the charges and on whether the child has a prior record. Some of what happens after a child is arrested also depends on a child's conduct at the time he or she is stopped by the police. Whether a child is polite and respectful can have an enormous effect on how police, probation officers, and prosecutors choose to process a case.

If an offense is serious or if it is a repeat offense, the child will be referred to court. While waiting to go to court, children can either be released to their parents or guardians or placed in detention. If children are released to their parents or guardians, they must sign a statement promising that they will appear for a court hearing. This is called a "*promise to appear*."

Children are more likely to be released to parents and guardians if:

- Behaviors are not seen as a serious threat to the community
- The police officer is certain a child will show up for the court hearing
- Parents or guardians are seen as responsible, as well as willing and able to manage the child
- Children and family members are polite and respectful to the police
- The town or city has a Juvenile Review Board or Youth Service Bureau

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Working with a lawyer

An attorney or lawyer is someone who has graduated from law school and passed a state test (the “bar exam”) to obtain a license to practice law in that state. There are many different kinds of lawyers, including those who are experts in juvenile delinquency law and experienced in defending children charged with juvenile or adult crimes. If families are unable to afford a private lawyer and they meet financial criteria, the court appoints a lawyer (a public defender or a private attorney who agrees to accept such appointments and be paid by the court) to represent them for free.

The lawyer’s job is to represent children, protect their interests, and defend them to the best of his or her ability. Lawyers should always stay in touch with their clients (the children), provide them with attention and respect, and try to get the very best outcome for the case. A few important things to understand about lawyers are:

- After an arrest, the lawyer usually tries to have the child released, so that he or she can go home until the day of an actual hearing.
- The lawyer must keep the child informed about the case and explain all options for the child to make wise decisions.
- The lawyer represents the child and only the child. Even if parents are paying and they disagree with the recommendations, the lawyer must follow the wishes of the child.

- Children and families should never be afraid to ask questions if they do not understand questions, choices, or recommendations. No questions are ever “stupid.”
- Lawyers can only help if they have all the facts, including past problems, mental health issues, previous legal troubles, and all details about a child’s life.
- Private conversations with a lawyer are confidential and, except in rare cases, can only be repeated to others if the attorney has the permission of his client, who is the child.

Most cases in Superior Court for Juvenile Matters do not go to trial, but are resolved as the result of a “*plea bargain*” or agreement between the child’s lawyer and the *state’s attorney* (also called the prosecutor) who represents the state of Connecticut. Children and their lawyers must decide together if it is best to plead “guilty” to the charges or to a lesser charge (the bargain). A lawyer always reviews a child’s options with the child very carefully after talking with the state’s attorney.

A child should always completely understand and ask questions about any plea bargain before agreeing. The lawyer will report a child’s decision about a plea bargain back to the state’s attorney before everyone goes into court.

Sixteen- and 17-year-old youth who commit crimes are currently offered *youthful offender* status, depending on the severity of the crime and previous legal involvement. In this program, a youth might receive up to four years of jail time or instead receive a suspended sentence with probation, community service, or other requirements. If handled as youthful offender status, the records in the case remain confidential. After turning 21 years old, the charges can automatically be erased if a youth completes all court requirements and remains out of trouble.

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Going to court

Lawyers can be very helpful in court. The more a lawyer knows about the child, the better he or she will be able to represent the child's legal interest. The prosecutor brings charges against children in court and gathers information to help prove them guilty. Children's lawyers should know all the important information about their clients to better protect them, including:

School

- Grades and special services received
- Attendance
- Performance in different subjects
- Suspensions, expulsions, and other disciplinary matters
- If problems exist, why?

Family

- Relationship with parents or guardians
- Family problems
- Who lives in the house
- Foster or group home placements

Medical and Mental Health

- Hospitalizations or illnesses
- Medications
- Counseling for problems
- Use of drugs or alcohol

Legal

- Previous legal trouble
- Probation or detention
- Family legal problems

Information given to lawyers is strictly confidential and cannot be communicated without the child's permission, unless the lawyer thinks a child will hurt him/herself or someone else. Children have the right to tell their side of the story. However, lawyers can help to decide if testifying (speaking in court) is in the child's best interest.

Sometimes testifying in court can make things worse for the outcome of a case. If a child testifies, the prosecutor will usually be allowed to question the child after the defense attorney does, in an effort to prove guilt (called cross-examination).

Important Rules to Remember in Court

Always be on time. Make a good impression by arriving at court ahead of time.

Dress appropriately for court, as though attending a religious service. Leave fashion or colorful clothes, flashy jewelry, cell phones, pagers, and hats at home.

Sit up straight at the defense table. Don't slouch, lean on the table, rest your head in your arms, or look bored or annoyed. Always look like you care about what is happening.

Be respectful to court personnel and the judge. Always call the judge "your honor" and the others in the court "sir" or "ma'am." Never react angrily with words or gestures. If you disagree with something, quietly pass a note to your lawyer.

Listen carefully. If something is said that is hard to understand, it is OK to quietly ask the lawyer to explain.

Never lie. When questioned by the state's attorney, your lawyer, or judge, it is important to always tell the truth. Lying in court is called perjury and can get a child into very serious trouble.

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THREE:

Who are the court officials?

It is important to know the roles of the many different people who work in the juvenile court system.

Judge

The judge leads the court proceedings and has experience helping children and families work out tough problems. The judge will listen to what the police say happened, the information from probation, and the lawyers' arguments. The judge makes the final decisions on whether a child is guilty of the charges and what the sentence or disposition will be.

State's Attorney or Prosecutor

The state's attorney or prosecutor is a lawyer paid by the state to represent the interests of all citizens of Connecticut. Their job is to protect people from being harmed by criminals who might hurt them or their property. The state's attorney will try to prove that the charges against a child are true by gathering evidence and presenting it in court. They can drop charges, make plea bargains, or reduce charges. In some situations, they can decide whether a child is tried as a juvenile or an adult.

Defense Lawyer

The defense lawyer is the lawyer on a child's side. This can be a private lawyer hired by parents or guardians or a court-appointed public defender who represents the child for free. If a family cannot afford a private lawyer, the parents or guardians must ask for a public defender to be assigned to their child.

The job of the defense lawyer is to represent the child's legal interests and get the charges against the child dismissed or reduced. If the child is found guilty, the defense lawyer is responsible for getting the most favorable sentence possible for the child.

In some cases, defense lawyers can also help children and families find help or needed services.

Probation Officer

The probation officer is an employee of the Court Support Services Division of the Judicial Branch. Probation officers perform many tasks at different stages of the case, including assessing the risks and needs of a child and family, recommending services for children and families, reporting to the judge, and supervising children on probation.

The probation officer carries out the orders of the judge and tells the judge how children are doing at home, in school, or in detention. They also provide supervision in the community for children living at home.

Parole Officer

The parole officer works for the Department of Children and Families (DCF) and is responsible for supervising children after they have been found delinquent by a judge and committed to DCF. Parole officers monitor children while they live in residential treatment programs or the Connecticut Juvenile Training School, and after they have been released to live at home in their communities.

Witness

A witness is anyone who saw, heard about, or has information about a crime that has been committed. A witness can testify for a child or can testify against a child in a court hearing. A witness does not have to be at every court hearing, but has to be present when called by the lawyers.

THE CONNECTICUT JUVENILE JUSTICE SYSTEM

THREE:

Victim

A victim is someone who has been hurt or harmed in some way by a criminal act. Victims are helped by the state's attorney's office and have the right to be present at every court hearing involving the accused child, also called the defendant. Sometimes the victim may decide to be a witness against the child.

What is a court hearing?

Judges preside over different types of proceedings, also called hearings, which are held to make decisions for and about children who have been charged with delinquent acts or status offenses. Some of the most important types of hearings include:

Detention Hearing

If a child is brought to detention by the police, he or she will appear in court on the next working day, not counting weekends or holidays. The first detention hearing is held to decide if there is probable cause to believe a child committed a crime and a reason to keep a child in detention. Children will go home if the judge allows it. To make this decision, the judge will rely partly on reports by the probation officers who interview children and their families and collect information about the crime.

Factors that may affect the judge's decision include the child's attitude, the level of the offense, the child's safety at home, and whether the child has adequate adult supervision. If a child is remanded to detention, another detention hearing will take place at least every 15 days to determine if there is still a reason to hold the child in detention.



Plea Hearing

At a plea hearing, the judge makes sure that a child knows and understands his or her legal rights. The judge will ask the child to plead guilty or not guilty to the charges. Children and families should talk to their lawyers before this hearing and decide whether to plead guilty or not guilty. If a guilty plea is entered at this hearing, the child will not go to trial but will receive a date for a dispositional (sentencing) hearing.

If a not guilty plea is entered, a date is set for a pre-trial hearing. If the child's lawyer and the prosecutor (state's attorney) do not reach an agreement (plea bargain) about the charges, a formal trial is scheduled for the judge to decide whether or not the charges are true. The prosecutor or a probation officer can ask for a child to be detained at the plea hearing. If the court finds probable cause and grounds for detention, a child can be detained.

THE CONNECTICUT JUVENILE JUSTICE SYSTEM

THREE:

Pre-trial Hearing

A pre-trial hearing is a meeting between the child's lawyer and the prosecutor and usually a representative from probation. This meeting occurs to determine if a child will plead guilty, and if so, to what offense(s). When a pre-trial hearing concludes with agreement between lawyers about how the case will be handled, the probation officer is required by law to report the agreement to the court. The probation officer is not bound by the agreements regarding disposition made at the pre-trial hearing between the lawyers. The probation officer will recommend to the court the disposition that he or she believes is in the best interest of the child and the community.

The defense lawyer will try to get the best possible deal for the child by working with both the prosecutor and the probation officer. A child and his or her lawyer may make their own separate recommendation to the court about the outcome of a case. The judge will consider all the points of view.

Transfer Hearing

Children charged with committing a serious felony after turning age 14 will automatically have their case transferred to the adult criminal court. Children receive the same punishments as adults in the criminal court, except that anyone under age 18 cannot receive the death penalty for murder. If children are charged with a less serious crime, the prosecutor can *request* that they be charged as adults. This is called a *discretionary transfer*. In these cases, anyone (not just the state's attorney) can ask the judge in the adult criminal court to return the case to the juvenile court.

In the case of an automatic transfer, there will be a hearing only to advise the child of his or her rights but not to present arguments or to establish “probable cause” (good evidence) that the crime was committed. In the case of a discretionary transfer, the judge will make a finding of “probable cause” based on the police report without any other testimony or arguments.

Adjudicatory Hearing (Trial)

The purpose of the adjudicatory hearing, also known as a trial, is to determine if the charges against a child are true. The judge decides whether a child is delinquent (guilty) or not delinquent (innocent) based on the evidence presented in court.

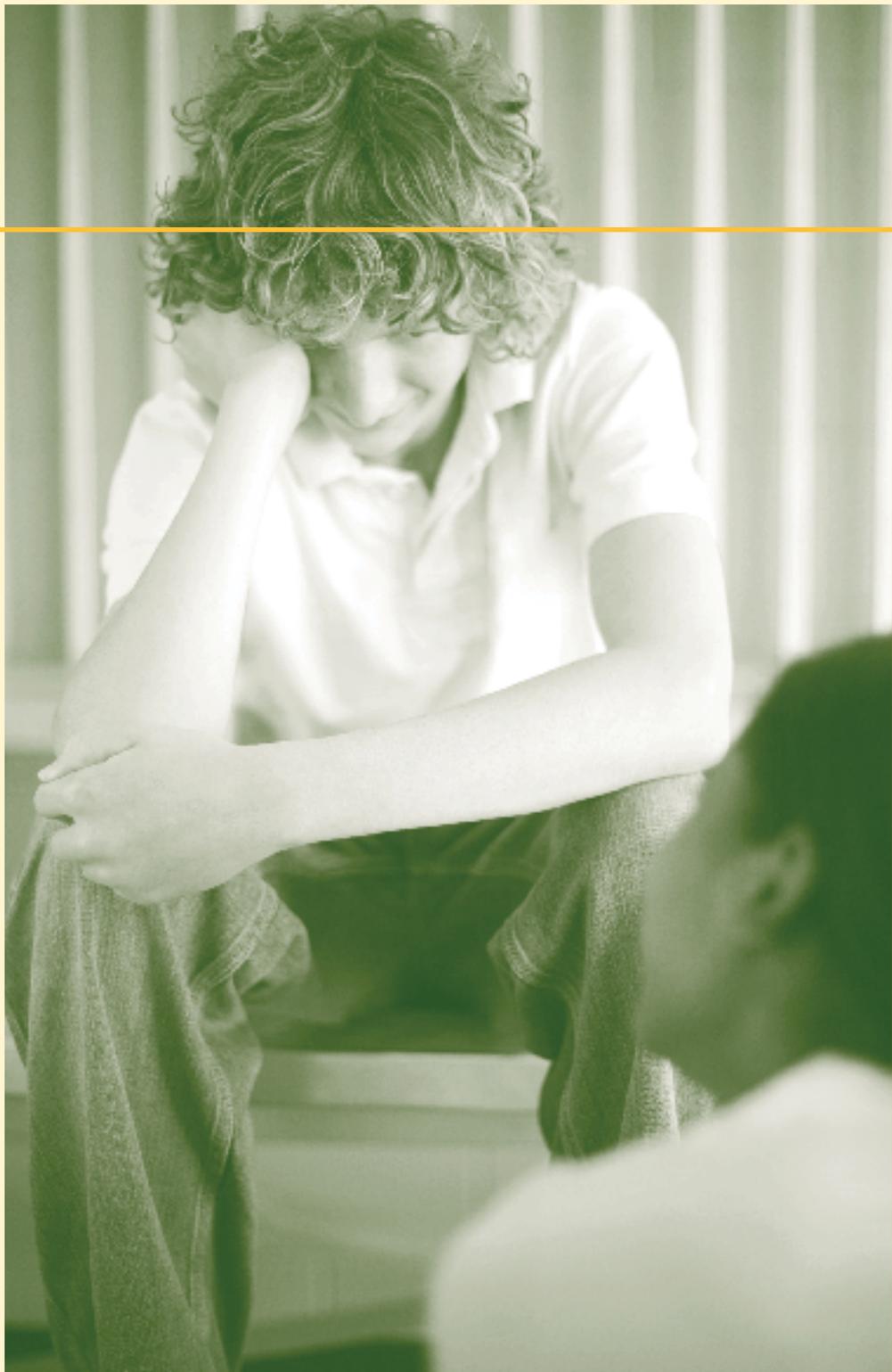
First, the prosecutor gives the evidence against the child and then the defense lawyer gives evidence in favor of the child (the defense). Although not required to do so, a child may testify at trial. The prosecutor may question the child closely and sometimes harshly after the defense lawyer (cross-examination) to assess the truth and completeness of the child’s testimony. The lawyers may also have other people testify for or against the child.

After both lawyers make closing arguments, the judge makes a decision. If the judge finds a child guilty of the charges, a hearing is set to determine the “*disposition* or what should now happen to the child.” If the judge decides a child is not guilty of the charges, the case is dismissed.

Dispositional Hearing (Sentencing)

At a dispositional hearing, a judge reviews information and background about a child before deciding what should happen. The judge has a wide range of consequences to choose, including dismissal, probation, commitment to DCF, with placement in the Connecticut Juvenile Training School for boys or other residential placements.

A judge may also order special requirements, such as repayment to victims, community service, therapeutic services such as addiction counseling, or visiting community-based counselors or day reporting centers.



FOUR:

SERVICES TO

HELP

YOUTH

AND

FAMILIES

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

When children get into trouble and end up in the juvenile justice system, parents and other caring adults in their lives may ask, “*What did we do wrong?*”

The role of families in delinquent behavior is complex. Indeed, parents and other family members have a great deal of influence on children, and some young people behave in dangerous or destructive ways because of neglect or poor parenting. Other family-related risk factors for problem behavior in children and adolescents include experiencing or witnessing violence in the home, having a family member in the criminal justice system, having a family history of substance abuse and mental illness, or living in poverty.

In some instances, children who do not have these family issues or risk factors can find themselves in contact with the juvenile justice system as well. Many factors may contribute to juvenile delinquency, but no one factor can be seen as a direct cause.

Research over the past 50 years shows that there is no single cause of juvenile delinquency, and that many different factors — not necessarily related to family issues — can lead to harmful behaviors. The risk factors for getting involved in the juvenile justice system include:

- Serious mental illness
- Exposure to traumatic experiences
- Unmet emotional and behavioral health needs
- Unmet educational needs



- Low school achievement and/or dropping out of school
- Low verbal skills and/or poor social skill development
- Poor self-esteem
- A need to get attention (even in negative ways)
- Lack of parental supervision and/or high family conflict
- Hanging out with anti-social peers
- An inborn tendency to excessive anger
- Lack of community supports, such as contact with caring adults or recreational activities
- Poverty

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

Whether or not all the reasons for a child's negative behavior are clear, one fact is widely accepted: there is a strong possibility that mental health concerns and/or substance abuse are involved. National studies have shown that 60 to 80 percent of youngsters involved with juvenile authorities have serious mental disorders and/or substance abuse problems.

Parents or other adults in the child's life may be aware of their child's problems and may have tried to find help. However, services are often unavailable, too expensive, or don't work as promised. Also, children's problems may be identified only *after* they break the law, are arrested, put in juvenile detention, and sentenced to training school, residential treatment programs, or other out-of-home facilities.

What services are available in Connecticut to help children through the juvenile justice system?

Since 1996, the state of Connecticut has been funding a range of programs and services for children involved in the juvenile justice system that have been shown to help troubled children and strengthen families. Many of these programs are "*evidence-based treatments*" or *EBTs*. They are called "*evidence-based*" because researchers have carefully studied these treatments and proven them to be effective for children and families in trouble.

TRUE STORY

Toby had trouble in school almost from the first day of eighth grade. Reading had always been a struggle for him and he fell further and further behind. His mother, Susan, a single parent, tried to get help from Toby's school but always seemed to get the runaround from busy teachers and the principal, and she couldn't take a lot of time off from her job to attend school meetings about her son. As the school failure continued, Toby grew more frustrated and angry. He began picking fights at school and in the neighborhood. Other kids knew to stay away from him. He disrupted the classroom and spent more time in detention than in class. When Toby began to receive out-of-school detentions, he started cutting school altogether. He hung out during the day with a group of older kids, smoking pot and drinking alcohol. His mother became increasingly frantic, trying everything she knew — yelling, threatening, hitting, locking him in his room, taking away his television and Gameboy. Nothing worked. Finally, one day when she found a roll of large bills in his pocket, she knew he was involved in something serious and most likely criminal. But before she could determine how to get help, Toby and two other boys were picked up by the police and charged with disturbing the peace, loitering and truancy. Susan called a friend, who suggested talking to the Youth Services Bureau. A member of the YSB talked with the probation officer. After receiving a conviction on the charges and an order of probation, Toby was referred to participate in an in-home therapy program in their town.

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

Studies show that the most successful approaches to helping young people work not just with the individual child, but also with the child's family, peers, school and community surroundings. The types of treatments available to children in the juvenile justice system will be described in this section.

Many different types of services can help children and families. For example, one type of individual counseling called cognitive-behavioral therapy (CBT) uses programs that are structured, intensive, and focused on changing specific behaviors. In CBT, children are taught about the thought-emotion-behavior link, and the child's thinking patterns are changed in ways that may lead to better, more adaptive behaviors in challenging situations. Individual counseling services are usually offered in a clinic-based setting.

In addition to services that your child may participate in individually, there is also a range of services that may be offered in other settings such as your home, school, or community. Many community-based programs are known as “*in-home*” services, treating children and families in their own homes and using multiple strategies (including CBT). These programs emphasize keeping children at home whenever possible, rather than placing them in foster homes, group homes, detention centers, psychiatric facilities, or residential treatment centers. Because children will ultimately have to learn how to live successfully in their homes and neighborhoods, it makes sense to provide services in the settings where the children live, learn, play, and work.

Connecticut's treatment programs for children in the juvenile justice system aim to be family-friendly and help children with delinquent behaviors, emotional disabilities, and behavioral problems such as:

- Criminal behaviors (fighting, stealing, and property destruction)
- Drug and alcohol problems
- Running away from home
- School truancy and academic problems
- Parent-child conflicts
- Serious disrespect and disobedience

Examples of treatments and services available to court-involved children

The types of services your child will receive depends on a variety of factors, including his or her type of difficulty, the severity of the offense, and the identified need for intervention to help your child in certain areas. Which services are available also depends upon whether your child is involved with DCF and at what point in the legal process (pre-adjudicatory or post-adjudicatory) your child is eligible to receive services.

Your child's probation and/or parole officer will help identify the best services for your child and make recommendations to the court. In many cases, participation in these services will be mandatory. Failure to participate in the programs could result in a violation of probation or parole and lead to even further charges. The following is a list of the types of services children can receive through the Connecticut juvenile justice system:

Court-Based Assessments provide psychiatric, psychological, substance abuse, and sex offender evaluations to help the court with dispositional decision-making. These assessments are conducted by licensed professionals and emphasize the implications and recommendations for service, as well as the timeliness of intervention.

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

Alternative to Detention Programs include gender-responsive programs in Hartford and New Haven featuring six to eight beds in each site. These programs emphasize client self-management skill-building. In detention, children are screened for eligibility for these programs, and then the child's judge orders a referral.

A range of *Adolescent Clinical Treatment Services* is also available. There are community-based clinical programs for children with serious psychiatric needs, including medication management. There is a range of clinical services, including outpatient services, group services, and other therapeutic support.

One specialized adolescent clinical treatment is *Intensive In-home Child & Adolescent Psychiatric Services (IICAPS)*, a program developed by The Yale Child Study Center for children and families with psychiatric concerns who are at risk for out of home placement. In this model, created to meet the comprehensive needs of children with serious psychiatric issues, a consistent treatment team provides comprehensive assessments, case management, individual and family treatment, and crisis intervention.

The children who benefit most from IICAPS intervention may be returning home from psychiatric hospitalization, at-risk for institutionalization or hospitalization, or unable to benefit from traditional outpatient treatment.

There is also a range of other *Evidence-based Family Treatments* being offered through DCF and CSSD to children in the juvenile justice system. Many of these services are family-centered and are provided in the child's home. These services include *Multi-Systemic Therapy (MST)*, *Functional Family Therapy (FFT)*, *Multi-Dimensional Family Therapy (MDFT)* and *Brief Strategic Family Therapy (BSFT)*. These services represent a core of clinical services offered by CSSD and DCF.

Evidence-based Family Treatments

Multi-Systemic Therapy (MST), which targets youth ages 10 to 18, is an evidence-based, intensive, home- and family-centered program for chronically violent or substance-abusing post-dispositional children, classified at very high and high risk of repeat offense.

Functional Family Therapy (FFT), which targets youth ages 10 to 18 and their families, is an in-home clinical model that identifies specific phases of intervention to allow clinicians to maintain focus in the context of considerable family and individual disruption.

Multi-Dimensional Family Therapy (MDFT) is an intensive in-home program focused on several core areas of the teen's life, such as parents, schools, other family members and the community. The program, which targets adolescents ages 11 to 18 who are at risk for drug addiction and their families, also helps the family understand the connections between drug use, criminal behavior, and mental health.

Brief Strategic Family Therapy (BSFT) is a problem-focused, practical approach to the elimination of substance abuse risk factors for children and adolescents ages 6 to 17. It provides families with tools to decrease individual and family risk factors through focused interventions that improve problematic family relations and skill-building strategies that strengthen families.

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

Multi-dimensional Treatment Foster Care (MTFC) is a program designed to improve the behavior of children and adolescents who are in need of out-of-home placement. Adolescents are referred to MTFC by the court as an alternative to residential treatment.

MTFC treatment goals are accomplished by providing:

- close supervision
- fair and consistent limits
- predictable consequences for rule-breaking
- a supportive relationship with at least one mentoring adult
- reduced exposure to peers with similar problems

MTFC is multifaceted and occurs in multiple settings, with services that include:

- behavioral parent training and support for MTFC foster parents
- family therapy for biological parents (or other aftercare resources)
- skills training for youth
- supportive therapy for youth
- school-based behavioral interventions and academic support
- psychiatric consultation and medication management, when needed



The *Treatment for Problem Sexual Behavior* program is an outpatient treatment for children with reactive or aggressive problem sexual behavior and includes a clinical intervention and psycho-education components. This program offers individual, group, and family treatment for post-dispositional children who acknowledge problem behavior. Children on parole who require this type of treatment have access to it through DCF.

There is also a range of *Juvenile Risk Reduction Center Programs (JRRCs)* – center-based programs for post-dispositional children classified at medium risk for repeat offenses – being offered to children on probation. JRRCs deliver cognitive behavioral programming that helps develop skill acquisition in a group format and are located in 13 sites across the state. As part of their treatment services, all sites also deliver home-based Brief Strategic Family Therapy (BSFT).

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

Center for Assessment, Respite and Enrichment (CARE) is a program that offers short-term residential staff-secure assessment, respite and enrichment services to pre-dispositional girls who voluntarily opt for this program as an alternative to continued court involvement. Family-based treatment programs (such as MST or MDFT) follow the girls as they leave the CARE center and return home. CARE is offered throughout the state, providing respite beds to as many as 200-300 girls annually.

Juvenile Review Boards and Youth Service Bureaus are panels of local professionals whose goal is to divert children away from the juvenile justice system and preventing additional criminal activity and FWSN behavior. Where they exist, these programs offer a community-based alternative to the juvenile justice system for children involved in their first minor criminal, FWSN, or YIC offense.

These panels, which meet regularly, generally include police, social workers, school officials, juvenile court officials, clergy, and community members. They offer a variety of alternatives for the child that can include:

- psychological evaluation
- substance abuse assessment
- positive youth activities
- community service
- restitution to victims

Programs for Female Offenders

In addition, CSSD offers *gender-specific programs* to ensure that all services and interventions for court-involved girls be *female-responsive*. A variety of female-responsive services at CSSD are incorporated into the agency's programs in the following ways:



- In each of the state's 13 juvenile probation offices, there is a juvenile probation officer who was carefully selected and comprehensively trained in a female-responsive approach to work effectively with court-involved girls.
- There are two female-responsive *Girls' Juvenile Detention Centers* (Hartford and Hamden) and two *Alternative to Detention Centers* (Hartford and New Haven) as an option for girls sent to detention.
- The two CARE programs (Waterbury and New Haven) have been designed specifically for status-offending girls in crisis to help the girl and her family resolve intense conflict and avoid further court involvement. They are available to girls statewide.
- Several female-responsive practices are also in place at the Juvenile Risk Reduction Centers, such as girl-only groups; availability of Voices (Covington) which is a trauma-informed, relational, strengths-based group curriculum; Girls' Circle (Taormina and Hossfeld) designed to empower girls to find their inner strength and self-protective qualities, and female-responsive case management practices.

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

In addition, there are other programs currently available through the juvenile justice system, including:

- a vocational probation program in New Haven
- mentoring programs
- mediation programs at various locations
- diversion programs at various locations

Also, female-responsive services are available through DCF in the form of training for parole officers on how best to serve court-involved girls, as well as four residential programs that are based on effective programming for girls. The four programs are:

- Touchstone (Litchfield)
- Stepping Stone (Waterbury)
- Natchaug Hospital (Mansfield)
- Willow Cottage at Connecticut Children's Place (East Windsor)

Which treatment model is the right one for my child?

While each treatment model is somewhat different from the others, most share basic features. The differences among the programs include the types of problems they were developed to treat and the methods used to steer children away from inappropriate behavior. The judge, probation officers, social workers, parole workers, and other professionals will work with you to choose which services best meet the needs of your child and your family, and will then make referrals for services based on written criteria developed by state agencies that oversee the treatment programs.

Some common features among programs include:

- Most models are family-focused and respect parents as partners.
- All the models recognize that parents and other caregivers are most knowledgeable about their own children.
- Parents and caregivers must be involved in the treatment.
- Many of these treatments are time-limited, working with children and their families for six months or less.
- In most cases, therapists come right to the child's home or other community setting such as the school, to meet with children, parents, siblings, grandparents, family friends, teachers — whoever is concerned about what is happening to the child. This approach appears to be a much more practical and effective strategy to finding long-term solutions.
- Often, therapists are available for crisis calls 24 hours a day, seven days a week.

All the treatment models share the same goals:

- Helping families to get along better and to learn how to handle serious problems and conflicts
- Developing skills needed for children and families to communicate better to prevent problem behaviors and actions that break the law
- Helping children function better at home and at school and eliminating the need for repeated court involvement

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

What should we expect from our treatment experience?

Depending on the type of treatment, children and families may work closely with one or more therapists who will collaborate with a highly skilled treatment team. By the time a family finds help for a troubled child, the situation has often become very difficult and family members may have a hard time talking with or listening to each other.

An experienced therapist knows how to set ground rules and help a family work towards solutions to problems. This is not always an easy process, and it is important that parents and children keep an open mind and actively participate in the treatment. It often takes hard work and patience for this treatment to be successful.

TRUE STORY

James and Irene Mitchell were awakened at 3 a.m. by a telephone call that every parent of a teenager dreads — a police officer saying that their 15-year-old son, Kenny, who had snuck out of the house after his parents had gone to bed, had been arrested with some other teenagers and accused of vandalizing a parked car. The teens had been drinking and smoking pot when they decided to break into the car, which was full of electronics equipment. They tripped the car's alarm and ran but were reported to police by a passerby.

This arrest was the last straw for the Mitchells, who had repeatedly bailed Kenny out of trouble. The court found Kenny guilty of the charges and ordered him to be supervised by a probation officer. The court required that the family participate in an in-home, community-based service instead of sending Kenny to the state training school. The probation officer emphasized that the Mitchells would be expected to fully participate in the treatment, along with their son. After being given local program information, the family was contacted by a therapist, Tim, who met with both parents and Kenny in their home. Tim asked Mrs. Mitchell if there was anyone else close to Kenny who could participate in the meeting, such as an older brother or sister, grandparent, coach or teacher. He explained that sometimes having other adults present whom the young person respected could create a supportive network to help maintain positive behavior.

Tim picked up Kenny after school several days each week. They built a good relationship as they talked, played basketball or grabbed a bite to eat. Tim introduced Kenny to a mentor selected from the basketball coaching staff at the high school because Kenny loved sports. On Sunday evenings, Tim met with the Mitchells alone to help them work through some marital and parenting issues including strong differences of opinion about how they should handle Kenny's behavior. Tim helped the Mitchells arrange a school conference to discuss and advocate for IQ and academic testing and more academic help to address Kenny's learning disabilities. With Tim's support, Kenny was hired for a part-time job after school at the local Boys and Girl's Club. The job boosted his confidence and kept him away from troubled peers. When the family returned to court six weeks later, everyone was pleased and surprised with the progress. Kenny's behavior had improved and his parents were hopeful and appreciative of the role played by Tim and the in-home treatment program.

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

When a family is referred for family-centered in-home services (such as MST), they first receive a home visit, arranged by a therapist at the family's convenience. At this meeting, the therapist talks with and listens to the family members, begins to get to know the child, and works with the family to agree on realistic treatment goals.

The therapist, child, and family members talk about the behaviors that led to contact with the juvenile court. As family and therapist(s) work together, they identify the problems, discuss them, and work toward the changes that everyone would like to see. In addition to treating the child, therapy helps parents, family members and caregivers learn new ways of behaving and getting along together to change bad habits and patterns of behavior. Family members will learn new skills that can help them to feel less frustrated, angry, or frightened by the child's behavior.

Therapists can offer fresh ideas and practical suggestions about making changes by sharing with clients their experiences or the experiences of other families in similar situations. Therapists are also required to work closely with court personnel (such as the child's probation officer) and will be asked to report on your child's progress in treatment to the court.

The therapist(s) may also work with school personnel to identify any special learning needs a child has and to locate resources to meet those needs. Many young people who come into the juvenile justice system have long histories of difficulty in school and are frustrated and turned off by the learning process. Your child's therapist and probation/parole officer are familiar with the legal rights of children in the public education system and can help your child get the educational support he or she needs and is entitled to receive.



What if a child needs medication?

Many problems can be treated without the use of medication, but in some instances you and your treatment team may think that medication would help alleviate your child's symptoms. Some emotional and behavioral disorders are more severe and may require medical treatment in addition to behavioral interventions for the child and family. In some cases, following a medical evaluation, there may be a recommendation for your child to receive medication that targets specific symptoms of their emotional difficulties. For children evaluated while in the juvenile justice system who require medication, there is a statewide program called the **Connecticut HomeCare Program**. It offers medication management for up to three months after a child is released from detention while a family finds a medical professional who can oversee the child's care. The HomeCare program is provided by the University of Connecticut Health Center and is funded by DCF in collaboration with CSSD.

SERVICES TO HELP YOUTH AND FAMILIES

FOUR:

TRUE STORY

Maria and her boyfriend Jorge were at their wits end over Maria's 15-year-old daughter, Elsa. Elsa frequently left the house at night without permission, picked fights with her three sisters and skipped school to hang out with boys and girls from the high school. On at least three occasions, Maria was notified by the school that Elsa had failed to show up for in-school detention received for skipping classes. Maria and Jorge fought frequently and always disagreed about how to handle Elsa or help her improve her worsening behaviors. One night, Elsa ran away from home and did not return the next morning. Elsa was arrested that same week in another town when she was picked up for drinking in a public park and soliciting for prostitution. After a three-week stay in detention, Elsa disclosed past incidents of sexual abuse by a male relative that preceded her behavioral problems. She also complained of many symptoms suggestive of a major depressive disorder. The Detention Center completed a psychiatric assessment and recommended that Elsa begin taking antidepressant medication. At the recommendation of detention and probation staff, Elsa and her family were referred by the Juvenile Court for an in-home treatment service. While waiting for services to begin, Elsa and her mother were seen twice by the HomeCare program to ensure that medication was helping Elsa to improve her mood and behavior. Multi-Dimensional Family Therapy began within a week and provided support, education and hope for Elsa, Maria and Jorge. Elsa completed the school year successfully and avoided any further juvenile justice contact.

How does a family identify the best services for their child?

When a child is involved in the juvenile court system through an arrest and delinquency charge or through the Family with Service Needs (FWSN) program, the assigned probation officer, social worker, or attorney will have access to information about the range of services available to your child and family. Information is also available in the local DCF office, in the local juvenile court, or through a parent advocacy organization in the community (see the end of this booklet for a list of such organizations).

The state of Connecticut contracts with qualified mental health professionals employed by local family service or mental health agencies to provide the services available to you. Referral to particular program models can only be made based on decisions by a judge, after a child has been convicted as a delinquent and ordered to probation or by the probation officer during the course of handling a FWSN case. The judge and probation officers make referrals based on written criteria developed by state agencies that oversee the treatment programs.

Who can I talk with about my situation?

In Connecticut, there are a number of organizations designed specifically to address the needs of families for information, support, and advocacy within the juvenile justice system. Sometimes, it's simply necessary to share feelings and the experiences encountered along the path through the justice system. An informed person available to direct you and share resources can play an essential role in helping a child, parent, or guardian find their way.

There are many organizations run by parents that are specifically geared to supporting families and guardians who have children with special needs, disabilities, and behavioral problems. These are not legal advocates but parent advocates who offer information and support. In **Section Six: Resources** (which begins on Page 74), we identify some of these resources for children and their families.



FIVE:

GLOSSARY

GLOSSARY

FIVE:

Adjudication – a court hearing where the judge decides whether or not a child has committed a delinquent or FWSN offense

ADP – Alternative Detention Program, operated by private agencies contracted by CSSD to provide 24/7 care and custody to pre-adjudicated children who don't need the security of a locked detention center

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)

Attorney – a trained legal professional licensed to represent people in court, also called a lawyer

BSFT – Brief Strategic Family Therapy, a problem-focused, practical approach to the elimination of substance abuse risk factors

Charge – the act that a child is formally accused of committing

Commitment – placement of a child in the custody (for delinquent and Family with Service Needs children) or guardianship (for neglected, dependent, or uncared for children) of the Department of Children and Families by an order of the court

Continuance – a delay or postponement of a court hearing

Counsel – another name for a lawyer or attorney

Court-appointed lawyer – a lawyer who is appointed by the court to represent children or parents who do not have money for a private attorney

CSSD – Court Support Services Division of the Connecticut Judicial Branch, a division responsible for adult and juvenile probation, juvenile detention, contracting and monitoring alternative sanction programs, family relations services, and bail commission services

Curfew – when a child is required by law or court order to be at home or off the streets by a certain time of day.

Custody – 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)

DCF – Department of Children and Families, a state agency responsible for the welfare of children and youth in Connecticut, which provides protective services, committed services, and child behavioral health services

Defendant – a person who is accused of committing a crime

Delinquent – a child who the court finds has committed an act that would be a crime if committed by an adult

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 special hearing)

Diversion – the process of handling a delinquency or FWSN case outside of the court process, as through a juvenile review board

DOC – Department of Correction, a state agency responsible for juveniles who have been transferred to the adult criminal court and adults under 21, as well as all persons paroled from those facilities.

GLOSSARY

FIVE:

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 an argument

Evidence-Based Treatment (EBT) – carefully studied treatments that have research that proves their effectiveness

Felony – an act or serious crime that carries the potential punishment of imprisonment of an adult for more than one year (less serious crimes are called misdemeanors)

FFT – Functional Family Therapy, a short-term family-based prevention and intervention program for high-risk children ages 11-18

FWSN – Family with Service Needs; families with a child up to age 16 who has run away from home without just cause, been beyond the control of guardians, engaged in immoral conduct, been truant, been continuously defiant in school, or engaged in sexual intercourse

Guardian – an adult who has the right to make decisions for a child. A guardian can be the child's parent, family member, an unrelated adult, or the state

Hearing – any time a child or his or her lawyer goes to court and talks to a judge, this is called a hearing

IICAPS – Intensive In-home Child and Adolescent Psychiatric Service, a short-term, intensive family-based intervention program for children ages 12-18 with serious psychiatric disorders

In-Home Services – treatments and programs that treat children at home in the context of their families and guardians. The emphasis is on preventing hospitalizations and out-of-home placements

Interrogation – questioning of a defendant, suspect or witness

Jurisdiction – the court's power to hear and to decide a case against a child

Juvenile – a person who is alleged to have committed or who has been convicted of committing a delinquent act prior to turning 16 years old

MDFT – Multi-Dimensional Family Therapy, a short-term family-based prevention and intervention program designed for children ages 12-18 with serious substance abuse problems

MTFC – Multi-Dimensional Treatment Foster Care, a treatment for children in the foster care system with multiple familial and behavioral concerns

Miranda Rights or Miranda Warnings – warnings that are received when a child is arrested that inform them of the right to remain silent and the right to have a lawyer, whether or not they have money

Misdemeanor – a criminal offense that is less serious than a felony

MST – Multi-Systemic Therapy, a community-based treatment for children ages 12-17 with serious behavior disorders who are at risk of out-of-home placements

Plea bargain – when a child's lawyer and the prosecutor make a deal; usually the child agrees to admit to plead guilty in exchange for a reduction in the number or severity of charges

Probable cause – facts and evidence that would be sufficient to cause a reasonable person to believe a crime was committed and the person charged committed it. It is the standard of proof necessary to arrest a person but proof beyond a reasonable doubt is necessary to convict a person

Probation – the disposition in a delinquency case where a juvenile is convicted and placed under the supervision of a probation officer for a specific period of time and subject to specific conditions

Prosecution – the process of bringing a person to trial for criminal charges

GLOSSARY

FIVE:

Prosecutor – also called the State’s Attorney, an attorney representing the state’s interests who charges the child and tries the child’s case in court, opposite the child’s attorney

Public Defender – a licensed lawyer employed by the government to represent defendants who cannot afford a private lawyer

Residential Treatment – programs that provide extensive behavioral, psychiatric or alcohol treatment while the individual is attending school and living in residence at the program

Restitution – payment to a victim by the defendant for damage or loss caused by the defendant

Sentence – same as disposition; the punishment handed down by the judge

Serious Juvenile Offender – a child who commits one of several serious felony offenses and has a maximum punishment of up to four years of incarceration

Status Offender – a child who is charged with doing something that is only illegal for individuals under age 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

Supervision – A status used in FWSN or delinquency cases, similar to probation, where it is understood that the court can take further action if a child or guardian does not follow court recommended plans

Transfer – the process of sending the case of a juvenile over the age of 14, charged with a felony to the adult criminal court, where they will be tried, and if convicted, sentenced as an adult

Truant – a child or youth with four unexcused absences from school in one month or 10 in a school year

Witness – a person having information that is relevant to an issue being decided by the court

YIC – Youth in Crisis, a youth age 16 or 17 who has run away from home without just cause, been beyond the control of guardians, or has been truant



SIX:

RESOURCES

RESOURCES

SIX:

Parent Advocacy and Support Organizations

FAVOR is an umbrella organization for a variety of statewide organizations. Its mission is to help improve mental health services for children with serious emotional disorders throughout Connecticut by increasing the availability, accessibility, cultural competency and quality of mental health services for children through family advocacy. The primary purpose of all the affiliated organizations listed below is to foster the strengthening and expansion of the children's mental health family movement in Connecticut.

FAVOR

2138 Silas Deane Highway, Suite 103
PO Box 658, Rocky Hill, CT 06067
(860) 563-3232
www.favor-ct.org

NAMI (National Alliance of the Mentally Ill)

30 Jordan Lane
Wethersfield, CT 06109
(860) 882-0236
www.namict.org

AFCAMP (African Caribbean American Parents of Children with Disabilities)

60-B Weston Street
Hartford, CT 06120
(860) 297-4358

PAP (Padres Abriendo Puertas)

60-B Weston Street

Hartford, CT 06120

(860) 297-4391

www.parentsopeningdoors.org

Families United for Children's Mental Health

32 Norwich Avenue, Suite 103

Colchester, CT 06415

(860) 537-6125

<http://ctfamiliesunited.homestead.com>

Center for Children's Advocacy

Center for Children's Advocacy

University of Connecticut School of Law

65 Elizabeth Street

Hartford, CT 06105

(860) 570-5327

www.kidscounsel.org

The Center for Children's Advocacy, Inc. is a non-profit organization located at the University of Connecticut School of Law whose mission is to promote and protect the legal rights and interests of poor children dependent upon the judicial, child welfare, health, mental health, and education systems for their care.

Connecticut Office of Protection and Advocacy for Persons with Disabilities

60-B Weston Street

Hartford, CT 06120

(860) 297-4300

www.ct.gov/opapd

The Office of Protection and Advocacy for Persons with Disabilities is an independent state agency created to safeguard and advance the civil and human rights of people with disabilities in Connecticut. It is part of a nationwide network of protection and advocacy systems.

RESOURCES

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The Connecticut Juvenile Justice Alliance (CTJJA)

2470 Fairfield Avenue
Bridgeport, CT 06605
(203) 579-2727
www.ctjja.org

CTJJA is a collaborative effort of the Center for Children's Advocacy, Connecticut Voices for Children, RYASAP, and The Tow Foundation. The mission of the Connecticut Juvenile Justice Alliance is to promote a safe, effective and equitable system of services designed to meet the needs of children and adolescents in or at-risk of becoming involved in the juvenile justice system.

PACER Center

The PACER Center is a national organization created by parents of children and youth with disabilities to help other parents and families facing similar challenges. Today, PACER Center expands opportunities and enhances the quality of life of children and young adults with disabilities and their families. PACER is staffed primarily by parents of children with disabilities and works in coalition with 18 disability organizations. The mission is to expand opportunities and enhance the quality of life of children and young adults with disabilities and their families, based on the concept of parents helping parents.
www.pacer.org

SUPERIOR COURT, JUVENILE MATTERS

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Child Protection Session: 1 Court Street, Middletown, CT 06457
(860) 344-2986

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20 Franklin Square, New Britain, CT 06051
(860) 515-5088

RESOURCES

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New Haven: Serving Bethany, Branford, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Wallingford, West Haven, and Woodbridge

239 Whalley Avenue, New Haven, CT 06511
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11 Commerce Street, Norwalk, CT 06850
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25 School Street, Rockville, CT 06066
(860) 872-2570

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123 Hoyt Street, Stamford, CT 06905
(203) 965-5705

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410 Winsted Road, Torrington, CT 06790
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7 Kendrick Avenue, Waterbury, CT 06702
(203) 591-2332

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978 Hartford Turnpike, Waterford, CT 06385
(860) 440-5890

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81 Columbia Avenue, Willimantic, CT 06226
(860) 456-5720

THE CONNECTICUT JUVENILE JUSTICE SYSTEM: A GUIDE FOR YOUTH AND FAMILIES

CCEP

Connecticut Center for Effective Practice

Child Health and
Development Institute
of Connecticut, Inc.

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Suite 367
Farmington, CT 06032

860.679.1519
chdi@adp.uchc.edu
www.chdi.org



THE TOW FOUNDATION

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