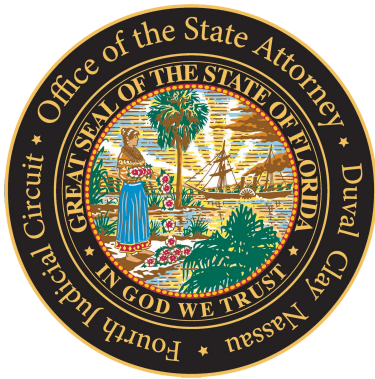


FLORIDA'S JUVENILE JUSTICE SYSTEM

A Family
Guide to
Navigating
Juvenile Court



PREPARED BY:



**Office of the State Attorney
for the 4th Judicial Circuit**

**311 W. Monroe St.
Jacksonville, FL 32202
www.sao4th.com
904-255-2500**



Center for Children's Rights

**1095 A. Phillip Randolph Blvd.
Jacksonville, FL 32206
www.jaxccr.org
904-242-6936**



**Office of the Public Defender
4th Judicial Circuit**

**407 N. Laura
Jacksonville, FL 32203
www.pd4th.org
904-255-4673**



Duval County Courthouse
501 West Adams Street
Jacksonville, FL 32202

INTRODUCTION

This guide is meant to provide some basic, helpful information for youth and family members about what to expect in the juvenile justice system. This guide tries to explain who you will meet, what is happening, and what could happen next. **We recognize that the process of being arrested and/or charged with a delinquent act can be stressful and confusing. If you don't understand something at any point in the process, please ask.**

Here are a couple things you should know:

Young people: know your rights and use them. Exercising your rights, like using your right to not say anything if a police officer is asking you questions or asking for a lawyer if you've been arrested, doesn't make you seem disrespectful or mean you are guilty. It means you are exercising rights given to each one of us by the Constitution. Take time to talk to your lawyer. Please don't rush to end your case just because you want it over with. Remember that you have strengths and are a valuable member of our community. **We see you and we are here for you.** We welcome you to our club of adults – people who make mistakes, but learn and grow from them.

Parents, guardians, and caregivers: sometimes, there are things that have been going on at home, in school, and in the community even before law enforcement gets involved. Sometimes you may hope that the juvenile justice system or a judge will fix your child. Often there are no quick fixes, especially when the Court is involved, but **please know your role is the most important in this process.** You know your child and your family's strengths best. Kids make mistakes and most kids learn from them, but that process is not always a straight line. **Please ask for help, and please don't give up on your kid, yourself, or your family in the process. We believe in your child, we believe in you, and we believe in your family.**

The Florida Department of Juvenile Justice (DJJ) has a **vision** that the children and families of Florida will live in safe, nurturing communities that provide for their needs, recognize their strengths, and support their success.

It is this vision that drives the **mission** to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.

Success is driven by **guiding principles**:

- Prevention and education are paramount
- Strengthen partnerships with judicial, legislative, and community stakeholders
- Promote public safety through effective intervention
- Provide a safe and nurturing environment for our children
- Preserve and restore physical and mental health

For more information about the Florida Department of Juvenile Justice, visit: <http://www.djj.state.fl.us/about-us>.



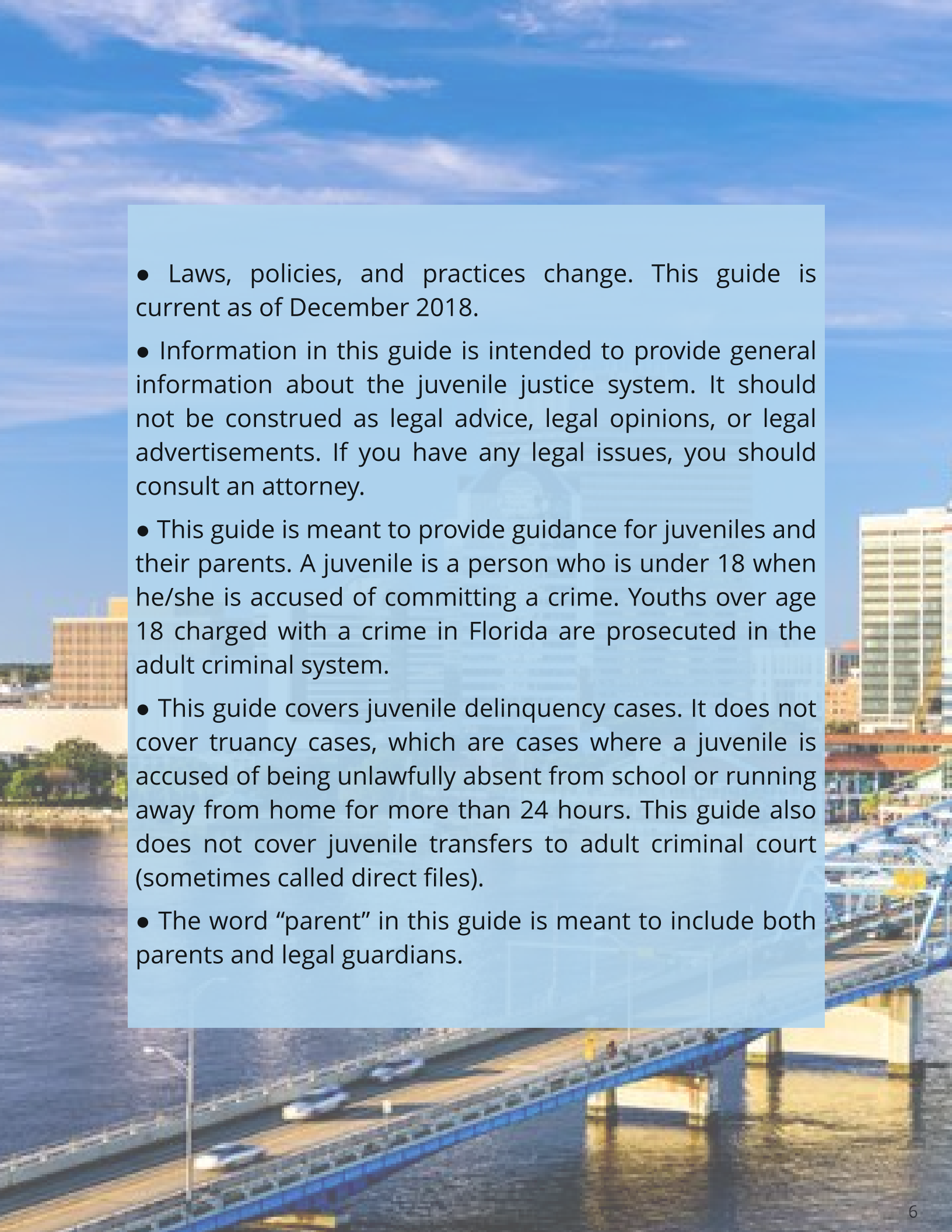
- 
- Laws, policies, and practices change. This guide is current as of December 2018.
 - Information in this guide is intended to provide general information about the juvenile justice system. It should not be construed as legal advice, legal opinions, or legal advertisements. If you have any legal issues, you should consult an attorney.
 - This guide is meant to provide guidance for juveniles and their parents. A juvenile is a person who is under 18 when he/she is accused of committing a crime. Youths over age 18 charged with a crime in Florida are prosecuted in the adult criminal system.
 - This guide covers juvenile delinquency cases. It does not cover truancy cases, which are cases where a juvenile is accused of being unlawfully absent from school or running away from home for more than 24 hours. This guide also does not cover juvenile transfers to adult criminal court (sometimes called direct files).
 - The word “parent” in this guide is meant to include both parents and legal guardians.

TABLE OF CONTENTS

Introduction	4
Florida Department of Juvenile Justice	5
Table of Contents	7
Glossary of Key Terms	8-9
Rights of Parents and Guardians	10
Rights of Juveniles	11
What is the Process?	12
Who Will I Meet?	13
What Happens After a Juvenile is Arrested?	14
Before The Courtroom	15
In the Courtroom	16
Dispositional Hearing	17
Tips For Success In Court	18-19
What Is A Commitment?	20
Tips For Supporting Your Child After An Adjudication	21
How Will This Affect Me	22
What Is Expungement?	23
Organizational Tools	
Important People	24
Important Dates	25
Calendar	26

KEY TERMS

The juvenile justice system uses unique terminology that can be very different from the adult criminal justice system. This glossary is designed to provide you with a better understanding of these terms; however, it is not intended to be a substitute for legal definitions, which can be found in Section 985.03, Florida Statutes.

- **Adjudicated:** A juvenile court's determination that a juvenile is guilty of committing a delinquent act. Adjudication is similar to a conviction in adult court. Like a conviction, an adjudication remains on a youth's permanent record and cannot be sealed or expunged.
- **Adjudication withheld:** When the juvenile court finds that a youth is guilty of committing a delinquent act, but chooses to withhold that determination, the youth will be placed on community supervision. Certain offenses may still be eligible for sealing or expunging.
- **Aftercare:** A program that provides services and resources to a youth who has been released from a commitment program and should support the youth's transition back to his family and community.
- **Arrest:** A law enforcement officer takes a youth into custody based on probable cause and charges the youth with a law violation.
- **Civil Citation:** A pre-arrest diversion program for eligible youth who commit certain misdemeanor offenses. The program is run by Teen Court.
- **Commitment:** Similar to incarceration, this is one of the options available to the court as a possible sentence; it entails the transfer of legal responsibility of the child over to the Department of Juvenile Justice.
- **Commitment - Day Treatment:** The court may commit the child to a minimum risk commitment program. The youth is required to attend the program during the day, but will not have to live at the program.
- **Commitment - Residential:** A youth may be placed in a residential facility. These programs range from non-secure to maximum restrictiveness levels.
- **Cost of care:** Parents or guardians may be billed a daily or monthly charge for the services delivered to their child by the Department of Juvenile Justice.
- **Detention:** Children can be detained pending adjudication; there are many different options such as home detention, the Evening Reporting Center, and secure detention at the Juvenile Detention Center (similar to jail), etc.
- **Detention hearing:** A youth's first appearance before a judge after arrest. This hearing will happen within 24 hours of arrest.
- **Direct file:** When a prosecutor uses his discretion to charge a juvenile in adult court, rather than in the juvenile system.

- **Disposition:** The sentencing stage of juvenile criminal court.
- **Diversión:** Various programs are offered to steer youth away from the juvenile criminal process. Diversion gives the youth an opportunity to take advantage of services and resources in the community while being held accountable for their behavior. Teen Court, Girls' Court, Drug Court, the Youth Offender Program (YOP), and Juvenile Diversion Alternative Program (JDAP) are examples in the Fourth Circuit.
- **DJJ:** The Department of Juvenile Justice
- **DRAI:** Detention Risk Assessment Instrument - used by DJJ to guide the initial decision whether a child will be detained by weighing different factors; also serves as a foundation for developing the multidisciplinary assessment that will be used in the disposition of the case.
- **EM:** Electronic monitoring - a tool used to restrict a juvenile placed on home detention
- **GAL:** Guardian ad litem - an attorney or advocate appointed by the court to represent the child's best interests.
- **Intake:** The screening and assessment of a youth who is alleged to have violated the law or a court order.
- **JAC:** Juvenile Assessment Center, 1283 East 8th Street, Jacksonville, FL 32206
 - Tel: (904) 798-4700
- **JDC:** Juvenile Detention Center, 1241 East 8th Street, Jacksonville, FL 32206
 - Tel: (904) 798-4819
- **JDAP:** Juvenile Diversion Alternative Program - intensive diversion program for first or second time juvenile offender. Rehabilitative focus.
- **JPO:** Juvenile probation officer
- **PD:** Public Defender. Defense attorney who is appointed by the Court free of charge.
- **PDR:** Pre-disposition report - an assessment of the youth's offense, family history and community involvement completed by DJJ that is given to the court to make recommendations for the youth's disposition.
- **Probation:** Youth are supervised by a JPO based on the order of the court and must follow specific guidelines in order to successfully complete probation.
- **SAO:** State Attorney's Office - also known as prosecutors' office.
- **Staffing:** A meeting held with the youth, State Attorney, defense attorney, case managers, JPO, and anyone else involved with the case in order to make a determination as to what services are most needed for the youth.
- **Status offense:** An offense that would not be considered an offense if it were committed by an adult. Examples: truancy, curfew violations, running away from home, or ungovernability.
- **Walker Plan:** An agreement between the state attorney, youth, and parent when a case is dismissed after successful completion of the sanctions.
- **YCC:** Youth Crisis Center - a facility that provides both short- and long-term housing for juveniles; may also include counseling.
- **YOP:** Youth Offender Program - a general program for first-time juvenile offenders that requires different prevention and intervention programs to be successfully completed by the juvenile in order to avoid criminal charges being filed.

PARENTS AND GUARDIANS

You have the right to:

→ **Know that your child has been arrested and why.** Law enforcement is required to try to contact you if your child is arrested. You may ask why your child was arrested and where your child is. If your child is at the police station, the police do not have to wait for you to be there to ask your child questions. You cannot ask for a lawyer on your child's behalf. If your child does not want to talk to the officers and wants a lawyer, your child must say so explicitly. If you cannot afford an attorney, your child may be appointed a Public Defender at the first court date. You may also hire a private lawyer.



→ **Attend court dates and meetings.** You have the right and obligation to attend all court dates and meetings associated with your child's involvement in the juvenile justice system.

→ **Competent and zealous counsel for your child.** Your child has the right to representation by legal counsel at all stages of a delinquency court proceeding. The court will appoint an attorney if the child and parents cannot afford legal counsel. Whether privately retained or court-appointed, defense attorneys must be competent, prompt, diligent, and zealous. They must also maintain regular communication and confidentiality with their clients. The attorney's duty is to represent the child's expressed interests, not the parent's interests. The attorney is not permitted to discuss the details of your child's case with you without the child's express permission. If you believe that the attorney is not properly advocating for your child, you should talk with the attorney or the attorney's supervisor. If you are still dissatisfied, you may raise the issue with the judge in open court.

JUVENILES

You have the right:

→ **To a lawyer** - If the police are asking you questions, and you are not free to walk away from them, you may ask for a lawyer. You must do so clearly. You will be provided an attorney at your first court date. This could be an attorney from the public defender's office, a court-appointed private attorney, or an attorney you or your family have hired. You should not talk to anyone about your case except your lawyer. Anything you say to the police can be used against you.



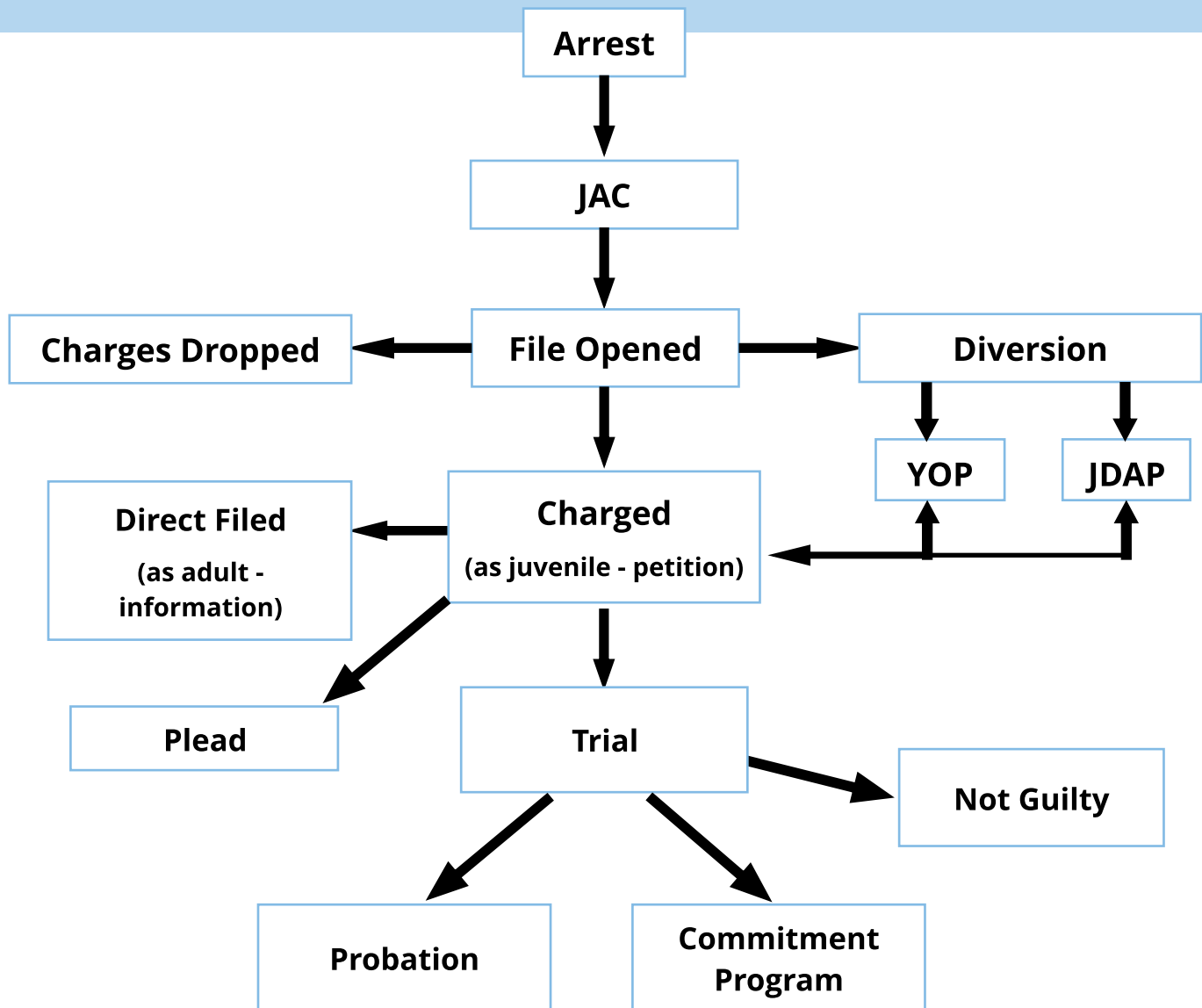
→ **To remain silent** - No one can force you to answer questions about your case outside of court, nor can they force you to testify in court. You may remain silent if a police officer asks you a question. Respectfully say that you do not want to talk to the officer and that you want a lawyer. You are still required to give basic information like your name, address, age, and parent/guardian's name. The only person you should discuss your case with is your lawyer.



→ **To receive notice of the charges against you** - In court, the judge has to tell you all of the crimes you are being charged with and give you an opportunity to defend yourself against those charges.

→ **To confront and cross-examine witnesses** - If a witness in court says you committed the crime (or something else that hurts your case), you must be given the opportunity for your lawyer to ask that person questions in front of the judge to try to prove that he/she is not a reliable witness or that their story is inaccurate.

WHAT IS THE PROCESS?



WHO WILL I MEET?

In juvenile court, there are many different people who help to make decisions. Throughout the process, you will meet many different people at different points. It is important to be aware of who is in charge of each decision.

Judge - The Judge's role is to make the ultimate decisions whether you are guilty or not guilty based on evidence presented by the state attorney. The judge also determines the right disposition, or sentence. Your defense attorney and the state attorney may negotiate an agreement about what you are willing to admit and what the disposition will be. The Judge may accept the negotiated disposition.

Magistrate - A magistrate judge is an attorney who has been appointed to serve in juvenile court to conduct a few certain types of hearings. They may hear detention review hearings, probation review hearings, and preside over diversion courts. A judge must review and approve decisions and recommendations.

Assistant State Attorney or Prosecutor - The ASA is responsible for making decisions whether or not to file charges against a juvenile. The state attorney represents the public interest. If you and your attorney choose to take your case to trial, the state attorney must prove beyond a reasonable doubt that you committed the offense that you are accused of. The state attorney will consider information provided by the youth's defense attorney in negotiating a plea and disposition.

Defense Attorney - He or she is responsible for providing legal representation to your child, not to you. Parents can provide helpful information to the defense attorney about the youth. The defense attorney may answer basic questions about the case; however, she cannot share information about the case, charges, or strategy without the youth's permission. You may hire an attorney or qualify for a public defender who will provide legal representation at no cost.

Juvenile Probation Officer - The JPO is responsible for checking in with your child at certain intervals to make sure that he or she is complying with terms of probation. The JPO will report any violations to the court. It is important to write down the name and phone number of the JPO and maintain contact with him or her.

WHAT HAPPENS AFTER A JUVENILE IS ARRESTED?



John E. Goode Pretrial Detention Facility
500 E Adams St.
Jacksonville, FL 32202

After a youth is arrested, they are taken to the **Pretrial Detention Facility**, where they will be processed and fingerprinted.

Next, the youth will be taken to the **Juvenile Assessment Center**, where they will be given several assessments to better understand their overall physical state and personal history. This is done to best determine what services are needed. Most of these assessments are done by self-report.

Juvenile Assessment Center
1241 E 8th St.
Jacksonville, FL 32206



After assessments have been completed, a Detention Risk Assessment Instrument (DRAI) will be created. Within 24 hours of arrest, the juvenile will appear before a judge for a detention hearing. Based on the result of the DRAI, the youth may be released or the judge may decide to keep the juvenile in secure detention pending the result of the case.

The judge has several options when deciding the best placement for the juvenile:

1. Straight Release - The juvenile is released to a responsible adult with no additional rules and a future court date. If the juvenile does not show up for the next court date, the court may issue an order for the his or her arrest. Once arrested, the juvenile will be brought before the court to explain why they did not attend their assigned court date.

2. Home Detention - The juvenile is released to a parent/guardian with rules to follow and a court date within 24 hours. The juvenile must abide by all rules to avoid further sanctions.

3. Secure Detention - The juvenile is held at the juvenile detention facility in secure detention with a court date to be held within 24 hours.

If it has been determined that the youth should be detained, they may only be held in secure pre-trial detention for 21 days pending results of the case. If formal charges, or a petition, have not been filed at this time, the youth must be released, absent a waiver.

BEFORE THE COURTROOM

1. COMPLAINT

A juvenile's court process will begin with a complaint that the juvenile has committed a delinquent act. This complaint may be by a police officer or someone else who witnessed the alleged delinquent act and contacted law enforcement.

2. TEMPORARY CUSTODY

A juvenile may be detained and placed into temporary custody in a detention center. This can happen if a police officer witnesses the juvenile committing, or has probable cause to believe that a juvenile has committed a serious crime. This can also happen if a juvenile has run away from a residential facility.

3. DETENTION HEARING

After a juvenile's arrest, they may be released to the custody of a guardian until the arraignment date or detained in a secure detention center. This action will be determined in front of a judge at a detention hearing, which must occur within 24 hours of arrest.

4. DIVERSION

The prosecutor may choose to divert the case, which means not filing a petition in court, but sending them to receive or complete other services. Successful completion of the diversion program will result in the case being closed without formal court proceedings. There are several different options that may be offered as diversion opportunities.

5. PETITION

If the state attorney chooses to proceed on the charges, they will file a document called a petition with the court. This will state exactly what the juvenile is being charged with and the elements that the state attorney would have to prove the youth is guilty of committing if the case is taken to trial.

IN THE COURTROOM

You will receive a letter that gives you information about your first court date. It is important to write down this date and time so that you do not miss it. Remember to arrive early and check in with the bailiff in the hallway outside of your courtroom. Your case may be called first or it may be called last, so listen quietly and be prepared to be called. When your case is called, the juvenile and parents may approach the judge. Leave any personal items on the bar and stand next to your attorney.

Arraignment

This proceeding will be in front of a Judge. At the arraignment, the juvenile is presented with the official charge(s) against them. Arraignment is when the youth pleads not guilty or guilty. You should consult with your attorney before entering a plea. At the arraignment, your attorney will not yet have discovery or other evidence about your case. In most cases, a youth should never plead guilty at arraignment, especially if charged with a felony.

Plea

A plea is your answer to the charges made against you. You can deny the charges (plead "not guilty") and choose to go to trial, and/or negotiate with the state attorney for a disposition that you and your attorney believe to be in your best interest. If you deny the charges, you will have another court date. If you admit the charges (plead "guilty"), you may be adjudicated delinquent. It is important that you understand what charge you are pleading guilty to, what the state would have to prove in a trial, the strength of the evidence against you, and what the potential consequences of that plea are. You and your attorney should talk about all of that before entering a plea. You should not plea guilty just because you want the case to be over.

Adjudicatory Hearing

An adjudicatory hearing is a trial where the state attorney will call witnesses, present evidence, and must prove beyond a reasonable doubt that the youth committed the offense of which the youth is accused. The youth has a right not to testify at this time. The Judge will make a determination whether or not the youth committed the crime based on the evidence presented. You do not have to prove you are innocent. You may have to prove certain defenses, like self defense.

Disposition

The prosecutor may choose to drop the charges. The youth's defense attorney and the state attorney may negotiate a plea and agreed upon disposition, i.e. sentence., which the youth's attorney will announce to the court. If the Judge finds the youth guilty at trial, the judge will hear from the state attorney, defense attorney, and DJJ to determine an appropriate disposition. The Judge must go with the DJJ recommendation in the PDR unless they make written findings explaining otherwise.

DISPOSITIONAL HEARING

If the juvenile is found guilty or pleads guilty, a dispositional hearing will be held at a later date. This is the sentencing phase of the juvenile's proceedings. The purpose of this stage is to figure out the best type of treatment for rehabilitation of the youth. The judge will hear from the state attorney, defense attorney, and DJJ to determine the appropriate disposition. As a parent, information that you can provide about your child to the defense attorney is extremely important. Some of the options for disposition, depending on the severity of the charge and the youth's juvenile justice history, include:

- **Probation** - The youth will be assigned a JPO (juvenile probation officer) to supervise the youth. They will have to check in with the JPO regularly and follow certain rules assigned by the court. Typically, these rules are things such as going to school, obeying a curfew, and not breaking the law. Probation may require participation in counseling, attendance to classes, or community service. If the juvenile breaks any of the rules of probation, he or she may have to go back to court and could face harsher punishments, like extra rules or time in detention.
- **Custody** - The Judge could order the juvenile to be placed outside of the home as a condition. This means they would be living somewhere different from where he or she was previously living, usually to receive some type of service(s). It might be a substance abuse or mental health program, or commitment program.
- **Restitution** - If a victim was harmed in a way that impacts them financially, the juvenile may be ordered to pay them back. This could be for damaged property, medical bills, stolen items, or other things.
- **Counseling and other community programs** - The judge could order the juvenile to attend counseling sessions alone or with family members. The judge may also order the juvenile to attend other programs such as gang prevention, mentoring, or classes about the consequences of engaging in crime. Additionally, the Judge may order a juvenile to complete educational packets specifically tailored towards the crime committed and write essays about their reflections.
- **Commitment** - For serious offenses, the juvenile may be ordered to spend time at a juvenile commitment program. These programs can range from three months to up to two years. If you are adjudicated and committed to DJJ, you will remain in secure detention until you go to your program. That wait is based on availability and can be up to several months.

TIPS FOR SUCCESS IN COURT

☐ Dress nicely and respectfully for court. You must have your shirt tucked in before you enter. You will not be allowed into the courtroom with sagging pants or while wearing a hat.

☐ Arrive at least 30 minutes early for court.



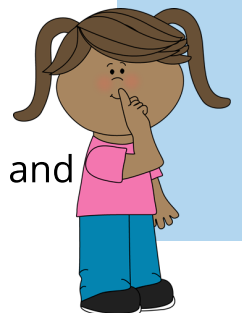
☐ You and your parents will have to go through a security checkpoint in order to enter the courthouse. Do not bring anything illegal or anything that could be considered a weapon. You will not be allowed to bring any food or drinks with you. However, if you have to stay through lunch, there is a cafeteria inside the courthouse.

☐ If you do not know where your courtroom is located, there will be bailiffs at the front of every hallway and you can ask them to point you in the right direction.

☐ When you get to the courtroom, you will need to check in with the bailiff, who may request that you take a seat until your case is called. You should be prepared to stay in the area until your case is called. In the event of an emergency, be sure to inform the bailiff.

☐ Sit quietly while you wait. Make sure your cell phone is off.

☐ Be polite to everyone, including the lawyers, court staff, and Judge. (Do not roll your eyes, curse, or speak out of turn, etc.)



☐ Do not chew gum or attempt to bring food or drinks into the courtroom.



☐ In a private environment, provide your lawyer with a truthful, detailed account of what happened and the names, phone numbers, and addresses of all witnesses. You have the right speak with your lawyer without the presence of your parent and it is usually best to do so.

☐ Tell your lawyer about every person you have spoken to about the case.

☐ Stand when the Judge addresses you. Address the Judge as "Your Honor," "Ma'am," or "Sir." Make direct eye contact with the Judge.

☐ Speak clearly. Do not mumble or say things under your breath. Always say "yes" or "no." Do not shake your head or say "uh-huh."

☐ The Judge will speak to you and ask questions. Be prepared to answer the Judge politely. Your attorney will speak on your behalf about school, your interests, and your understanding of the court experience. You have the right to keep some information about your education, mental, and physical health private.

☐ If there is an emergency and you cannot make it to court, call your attorney as soon as possible to let him/her know. If you do not have a lawyer yet, or you cannot find your attorney's contact information, inform court personnel when you arrive. If you do not have an attorney yet, call the Juvenile Assessment Center.



WHAT IS A COMMITMENT PROGRAM?

Minimum Risk

These programs are non-residential, so the youth will still remain in the community and live at home with a parent or guardian. The youth will participate in the assigned program at least five days a week.

A juvenile is not eligible for this level of commitment if he or she has been found to have committed a delinquent act involving a firearm, a sexual offense or an offense that would be a life felony or first-degree felony if committed by an adult.

One example of a minimum risk non-residential program is AMI Kids, which is an alternate day school that may include rehab or counseling services.

Non-Secure Residential

These programs are residential, meaning the youth will live at the program. The facility will have 24 hour supervision, custody of the youth and will care and treat all residents. However, he or she will have supervised access to the community.

These programs will look similar to a group home residential program. Generally, the juvenile's movement will not be restricted within the program, but the facility will be secured with walls, fences, and locked doors.

These programs typically last from 6-9 months, depending on the progress made by the juvenile.

High-Risk Residential

These programs are residential, but do not allow youth access to the community except for special circumstances. The juvenile's movement will be monitored and restrictions on activities and socialization will be more intensive.

The facility will have 24 hour supervision, custody of the youth, and will care and treat all residents. Supervision will be focused and structured. The premises will have perimeter fences and locked doors. The housing may be campus-style or single cell occupancy.

These programs usually last from 9-12 months depending on the progress made by the juvenile.

Maximum-Risk Residential

These programs include juvenile correctional facilities and juvenile prisons. This is a long-term residential commitment with no access to the community. The facility will have 24 hour supervision, custody of the youth, and will care and treat all residents.

The premises will have locked doors with perimeter security and fencing. Juveniles will reside in single occupant cells until the pre-release transition. The juvenile's movement will be intensely monitored and this type of commitment will resemble adult incarceration.

These programs typically last 12-18 months or more. However, a child cannot be kept past the age of 21.

TIPS FOR SUPPORTING YOUR CHILD AFTER AN ADJUDICATION OF DELINQUENCY



- Make sure that your child complies with any conditions of the disposition.
- Work with the attorney to argue for a disposition that is reasonable and something your child will be able to complete.
- Talk to your child about the importance of obeying any and all terms of the disposition.
- If one of the conditions is participating in programs or counseling sessions, take active steps to enroll your child and ensure he/she is attending and participating.
- As a parent, you must also follow any conditions of your child's disposition. If you do not help with the terms of the disposition, you can be held in contempt of court. A person held in contempt can be jailed for up to 30 days, fined up to \$500, or both.
- Maintain consistent and fair discipline of your child.
- Think carefully about reporting probation violations to a probation officer. If you report a violation, the probation officer could recommend a detention, extending the length of probation, or even out-of-home placement.
- Talk to your child about the idea of earning trust from you, the community, and their peers.
- Set specific goals and rewards to motivate your child.
- Find a positive role model or mentor for your child.

HOW WILL THIS AFFECT ME?

Although juvenile court is much different than adult court, an adjudication of delinquency can still have lasting consequences on the youth's present life and their future.

- ❑ Employment: When the youth becomes an adult, he or she may be unable to work in certain professions.
- ❑ Public Records: Public records may contain information relating to the juvenile's criminal history.
- ❑ Juvenile Court Open to the Public: Juvenile courtrooms are open to the public so anyone, including victims, is allowed to come in and watch proceedings, unless there are special circumstances.
- ❑ Public Housing: Families may not be able to live in their public housing unit if a child who has been adjudicated delinquent resides with them.
- ❑ Military: If a youth has been adjudicated delinquent, he or she may be unable to enlist in the military.
- ❑ Firearms: Adjudication for certain offenses may prevent carrying or owning a firearm.
- ❑ Driver's License: A youth's driver's license can be suspended as a result of adjudication for certain drug, alcohol, and driving offenses.
- ❑ Access to Schools: Children may be expelled from school for delinquency adjudications for certain offenses that occur on school grounds. Information about these adjudications will be sent to future schools if they choose to transfer.
- ❑ Access to Higher Education: Juvenile delinquency adjudications do not need to be reported on many college applications and does not bar access to federal financial aid.
- ❑ Fines, Court Costs, and Restitution: Youths may be required to pay fines, court costs, or restitution if there has been financial harm to victims.
- ❑ Sex Offense Registration: Children who are adjudicated delinquent for certain sex offenses may be required to register as sexual offenders.
- ❑ DNA Samples: Youth adjudicated delinquent of felony offenses and some misdemeanor offenses are required to submit a DNA sample.
- ❑ Voting: A youth who turns 18 after adjudication is able to register and vote, despite delinquency adjudication for any offense.
- ❑ Jury Service: A youth who turns 18 after adjudication is able to serve on a jury, despite delinquency adjudication for any offense.
- ❑ Immigration Status: Delinquency adjudication can negatively affect a child's immigration status.
- ❑ Adult Sentencing: A youth's record of delinquency adjudication for certain offenses can significantly affect sentencing for a criminal conviction as an adult.

WHAT IS SEALING AND EXPUNGEMENT?

When a youth is arrested, a record is created. That record includes all arrest and court documents. In some cases, a youth can **seal** (close up so only some state and federal entities can see it) or **expunge** (erase so that only some federal entities can see it) their juvenile record. It is important to speak to your lawyer about the collateral consequences of a plea. Some types of offenses can never be sealed or expunged. There are a few ways for youth to get rid of their juvenile record but it is important to remember to stay out of trouble as a young adult. Being arrested as an adult for certain types of offenses could cause your juvenile record to stay with you.

Diversion Expungement

If you complete a pre- or post-arrest diversion program for a nonviolent misdemeanor, you will be eligible to have that charge expunged. If you went to diversion for a felony or a violent misdemeanor, that charge will not be eligible for a diversion expungement.

Automatic Expungement

For most youth, your record will be automatically expunged at 21, unless you went to a commitment program, and then it may be expunged at age 26. There are some charges that are not eligible. If you continue to get in trouble and are arrested again, your record may not automatically be expunged.

Early Juvenile Expungement

If you need to expunge your juvenile record between 18 and 21, you may apply for early juvenile expungement through the court. It is important to get a lawyer's advice and assistance to apply for early juvenile expungement. For free help on navigating these questions, make an appointment at Florida Coastal School of Law's Program: www.fcsl.edu/seal-and-expunge-clinic.html

ORGANIZATIONAL TOOLS

It is extremely important to keep everything about your case very organized. Write down all of the names of people who are involved with your case in the event you need to contact them later. Make sure you record every date and event so that you do not accidentally miss something important. On the next few pages, you will find some tools to help keep you organized.

Important People

Name	Position	Agency / Organization	Phone Number	Email

Important Dates

Date and Time	Organization / Agency Name & Address	Description	Notes

Calendar

Month: _____

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Month: _____

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Content Attributions:

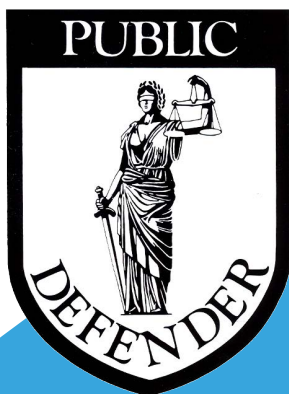
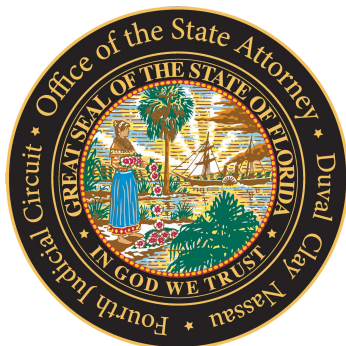
State Attorney's Office Intern Renee Pharis

Assistant State Attorney Laura Lambert

Executive Director of Center for Children's Rights, Betsy Dobbins

State Attorney's Office Community Engagement Coordinator Linzee Ott

State Attorney's Office Intern Jesse Nardy



**PRODUCTION OF THIS GUIDE WAS
MADE POSSIBLE THROUGH FUNDING FROM
THE U.S. DEPARTMENT OF JUSTICE.**

Florida's Juvenile Justice System:
A Family Guide to Navigating Juvenile Court
Copyright © 2019