



BERRIEN COUNTY TRIAL COURT FAMILY DIVISION

COURT SERVICES DEPARTMENT
BERRIEN COUNTY, MICHIGAN

Family Guide

**A GUIDE FOR NAVIGATING
JUVENILE COURT**



OUR VISION....

“A family-centered juvenile justice system.”

Please Note:

This brochure was designed as a guide for families working with juvenile probation. It is not intended to provide legal advice. Any legal questions should be discussed with your lawyer.

OUR PHILOSOPHY FOR WORKING WITH FAMILIES

We believe...

- You should be treated with dignity and respect.
- Your family's knowledge, values, beliefs and culture should be incorporated into the planning and delivery of services.
- You should receive timely, complete, and accurate information in order to effectively participate in decisions.
- You are an important and powerful participant in your child's probation.
- You need to support the probation staff who will develop and implement services that are designed for your child's benefit.

Our goal is to partner with you as a family. We value and appreciate you as the single greatest influence in your child's life. You can bring about positive change for both your family and the whole community. We encourage you to communicate openly and regularly with probation staff because we share a common goal of success for youth. Together we can develop plans and goals to enable you and your child to have the best possible probation outcome.

THE RIGHTS OF PARENTS, GUARDIANS AND CHILDREN

1. According to the law, each youth who comes before the Court must be represented by a lawyer.
2. Parents have a right to be represented by a lawyer at their own expense.
3. Both parents/guardians and children have a right to be present and to be heard at all court hearings which concern them. Further, the parent with whom the child lives is required to attend the youth's court hearings.
4. Both parents and children have a right to present evidence to the court and to participate in the proceedings.
5. Both parents and children have a right to examine court files involving the youth before the court.
6. Both parents and children have a right to appeal any final judgment of a juvenile court impacting him/her to a higher court.

PROBATION OVERVIEW

Both the parents and the youth are to come to the probation office following a formal court process. Most families first meet with probation staff because a judge has ordered them to cooperate with a social history investigation.

The following pages contain specific information about how we will work with you throughout your child's probation.

INVESTIGATIONS

The Initial Interview

If your child is found guilty of an offense, your family will be directed to the probation department to complete an initial interview. The following will be gathered at this time:

- Demographics – Name, Date of Birth, Address, etc.
- Signed releases for schools, hospitals, treatment centers, therapists, and other agencies.
- Social Security Number and Driver's License information will be collected for required background checks.
- Financial Information: Employment, Other Income, etc.
- Health Insurance information: Medicaid #, other health insurance policy number # .

THE SOCIAL HISTORY INTERVIEW

The next step toward completing the investigation process is the "Social History Interview." At this appointment, you and your son/daughter will meet with a probation officer. The appointment will last approximately one – two hours, with time spent with the parent/guardian and time with your son/daughter discussing important areas of your child's and family's life such as,

- Your family relationships
- Your son/daughter's friends, hobbies, and activities
- Drug and alcohol use
- Counseling
- Psychological/Mental Health Information
- School attendance and behavior
- Community activities and behavior

We will compile this information into a social history report, which the court will utilize when deciding an appropriate outcome for your son's/ daughter's case.

PROBATION

If your child is ordered/placed on probation, he/she will be assigned a casework probation officer.

Families are required to meet with probation staff after disposition if the child is ordered to serve his/her sentence in the community under court-monitored supervision.

The primary responsibility of the probation officer is to help you and your child identify and address areas that may contribute to further problems with the law. Through a series of meetings in the office, home and school we will work with your family to develop a shared case plan.

Our case plan will be designed to fulfill court-ordered conditions, increase motivation to change problem behaviors, reduce your son's/daughter's risk of re-arrest, and increase the likelihood of successful completion of probation.

As we work with your family, we also ensure that all court-ordered conditions are followed and report that progress to the court.

RESOURCES AND PROBATION PROGRAMMING

The Probation Department has many programs and services designed to help your family with issues like substance abuse, mental health and behavior challenges, and family conflict. You will be provided information on these resources and your probation officer will refer you to programs which may help your family.

FINANCIAL EXPENSES

Probation Fees

The payment of monthly probation fees (\$20/month) is a standard condition of probation. The Court can also impose other types of fees, fines and costs based on the nature of the case.

Restitution

Financial compensation paid to the victim of a crime; if ordered, amount varies.

The Court may require the youth and/or the parent/guardian to pay restitution.

Parental Reimbursement Expectation for expenses related to counseling, services and placement.

The court may order you and/or your child to receive services or counseling. These services may require you to pay expenses or reimburse the county for money it has spent on your child for treatment services or residential placement. **The amount you would be required to reimburse the court is determined by the Trial Court Financial Office and is based on your income and ability to pay.**

Following are some of the services the court may require reimbursement and their **approximate** cost.

Counseling for child or family

\$ 60 – \$ 95 per session

Placement

Detention/Tether

\$ 10- \$20 a day

Foster Care

\$ 30 – \$ 50 a day

Group Home

\$ 150 – \$ 300 a day

Residential Treatment

\$ 150 – \$ 400 a day

Medical, dental, educational or clothing expenses - varies

Transportation to and from placement or from other jurisdictions

Varies

Psychological, Psycho-Sexual Evaluations

\$ 500 – \$800 per test

Psychiatric Evaluations

\$ 300 – \$400 per test

Neurological Examinations

\$1000+



GLOSSARY

Administrative Sanctions – A consequence issued by probation staff for violations of court orders that don't involve an arrest.

Assessment – A research-based evaluation to determine a youth's risk for re-arrest and service needs.

Balanced and Restorative Justice (BARJ) – Probation's philosophy that stresses restoration or reparation of the harm caused by the youth. Results are measured by how much repair is done rather than by how much punishment was inflicted.

Community Service – Community service is a frequently ordered condition for youth on probation. The judge will order a specific number of service hours and probation staff will refer you to a site at which to complete these hours.

Detention – Form of temporary incarceration for youth offenders in a secure detention facility.

Disposition – A decision made by the court following a person being found guilty of an offense--similar to a sentencing in the adult criminal justice system.

Expungement – A process to destroy, erase, or seal a criminal record. Most often a lawyer is needed to start this process. Expungement can only occur after the youth's conditions have been satisfied and the case is closed. (For more information, please see **(Michigan Compiled Law Section 712A.18e.)**)

Felony – A more serious offense than those called misdemeanors. Any person convicted of a felony must submit his/her DNA to the Michigan State Police for indexing. The sample is collected by police departments.

Home Detention/Tether – A form of temporary detention that restricts youth to their home. Participants may be required to wear an electronic monitoring device. Youth ordered to home detention/tether may be permitted to attend school, work, church, or counseling appointments.

Michigan Department of Human Services (DHS) – DHS works to protect children who are reported as abused or neglected and to increase their families' capacity to safely care for them

Misdemeanor – A less serious offense than a felony. For an adult, the maximum sentence imposed would be 1 year in jail.

Probation – A disposition that requires a youth to report to a probation officer for a specific time period. Upon successful completion of the probation period, the youth's case is closed by the court with an official adjudication of delinquency. At the end of the probation period, an official record of delinquency will remain on the youth's confidential record unless it is later expunged. See Expungement.

Probation Violation – If your child violates court ordered conditions, the probation officer sends information to the Court about an alleged probation violation and requests court action be taken.

Petition for Re-Hearing – This document is filed in the event of an alleged violation of a court-ordered condition. If the court determines a violation has occurred, probation may be extended or a different disposition, (including out of home placement) may be ordered.

Restitution – The money a judge orders the offender to pay a victim to compensate them for the damages related to the offense.

Risk Level – Indicates how likely the youth is to be re-arrested based on considerable research. Youth are classified as low, moderate or high risk. This level helps determine services your family receives and how much contact you will have with your probation officer and the Court. Risk level is likely to change over time.