

# Juvenile Advisory Council Court Hearing Handbook



Art by Marina Short

“ We delight in the beauty of the butterfly, but rarely admit the changes it has gone through to achieve that beauty. ”

— MAYA ANGELOU

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# Introduction

This guide was created by members of the Juvenile Advisory Council for youth and parents who are in the Wayne County Juvenile system or on the verge of entering it.

The Juvenile Advisory Council is a youth engagement program that involves former youth with direct experience in juvenile justice system who have developed initiatives to improve the system for those who are currently in the system or may find themselves engaged in the future. It is in no way a replacement or substitute for seeking and/or retaining legal counsel.



# Tips for Effective Testimony

Parent and youth participation at court hearings will help inform the court about the youth needs, progress, and adjustment to services. Participation also provides the youth with an opportunity to better understand their court case and why the court is ordering certain services and how those services may impact the youth and family overall.

Most importantly, participation by the parents/guardian and youth help ensure the appropriate goals are established at every step along the way towards rehabilitation, completion of services and eventually case closure.

To provide the most valuable information to the court, parents and youth should plan to address the following in court:

- 1 Benefits of court-ordered services or why they are not beneficial and why not. Parents may also request additional services that might be helpful to the youth and why.
- 2 Parents and youth should address behavioral issues in the home (what is working and what isn't) and are there services in place to address those issues. Parent and youth should also address behavioral issues in placement, is it his/her roommate, staff, the facility's objectives or the youth' poor adjustment in general.
- 3 If youth is in placement, any unmet medical and dental services that are causing discomfort or pain should be raised in court by parent or youth. If the youth is at home in the community, it's the parents' responsibility to address these issues.

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**Educational Concerns:** The youth' academic performance is reviewed at each court hearing. If the youth is in placement, unmet services/needs that has been unable to be addressed by placement provider and your case manager raised bring to courts attention by either parent or youth. If the youth is in the community, educational concerns should be initially addressed by parent and then case manager, if they continue to run into roadblocks, those efforts should be raised and addressed by the court.

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**Visitation:** If parent and youth have questions regarding who can visit while youth is in placement, CMO should be able address. If not satisfied, those issues can be addressed to court, typically the court adheres to facilities rules.

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**Youth Interests:** Parent and youth should always highlight youth strengths such as community activities, such as participation in sports, hobbies, community service.

**DISCLAIMER:** The information contained in this guide is for informational purposes only and does not constitute legal advice.

# Courtroom Etiquette

Going to court can be an intimidating experience. The following information can be helpful:



Arrive at hearing at least 15 minutes early.



Notify the court officer (sheriff deputy if checking in people), the court clerk, your case manager or attorney that you're present with parent or adult.



Dress appropriately (your appearance, i.e., hair combed, neat and clean clothing can sometimes lead to a better outcome).



Address the court as Your Honor or Sir or Ma'am.



Speak loud and clear when the Court or your attorney speaks to you. No nodding head, yeahs, naws or uhh-uhhs.



No food, beverage or gum chewing in court.



Zoom hearings, please use all rules that apply. Please do not engage in any activities during zoom hearings that you could not engage inside of a court room

# Who's in the Courtroom?

**JUDGE:** A public official who is appointed or elected to hear and decide legal matters in the court of law. They review case generally every 3 months if youth is placed on probation. In a judge's courtroom you always stand when being spoken to or speaking to the judge unless told otherwise.

Remember to always respond Yes or No not Yea or Na and also address the Judge as your honor.

**REFEREE:** An attorney appointed by the court to hear and decide legal matters in a court of law. This person makes recommendations to the judge regarding the progress of the case and court orders. You may stay seated when speaking with the Referee of the court and again you need to respond yes or no, not yea or na.

You address them as Referee \_\_\_\_\_ (insert last name).  
Ex Referee Taylor.

**PROSECUTING ATTORNEY:** An attorney who represents the government in criminal proceedings. The prosecutor typically represents the interests of the victim of a crime.

**COURT REPORTER:** While the hearing is being conducted, this is the person who records the words of all the parties.

**BAILIFF/SHERIFF:** A law enforcement officer who makes sure order is maintained in the courtroom and escorts the youth from the holding area to the courtroom and if you are in custody.

**DEFENSE ATTORNEY:** Counsel assigned to represent youth.

Hearing Type	Timing
<b>Preliminary Hearing</b>	<p>If you're in custody you will have a Preliminary hearing within 24 hours of detainment.</p> <p>A "Not in Custody" (NIC) youth will be mailed a court date and the time frame will vary depending on the petition being processed through the prosecutor's office and Intake.</p>
<b>Pre-Trial</b>	<p>For "In-Custody", a hearing will be set within 6-8 weeks from Preliminary hearing.</p> <p>For "Not in custody" (NIC) the pre-trial will be held on the day that was on the notification mailed to you. Again, the time frame depends on processing.</p>
<b>Trial</b>  *In person trials are occurring during Covid with CDC guidelines. The timeframe is dependent on each Jurist's docket.	<p>Due to COVID, trials can be scheduled out up to a year.</p>
<b>Dispositional Hearing</b>	<p>This hearing could be immediately following Trial or Pre-Trial or could be scheduled farther out to gather assessments.</p>
<b>Review Hearing</b>	<p>Must be held at least every 90 days; could be earlier if Judge/Referee or CMO requests an earlier date.</p>
<b>VOP Hearing (Violation of Probation)</b>	<p>Anytime you have allegedly violated the terms and conditions of your Probation. Your case manager will submit a VOP and a date and time will be set by the court to hear the petition.</p>
<b>Termination Hearing</b>	<p>Will occur when youth has successfully completed his/her probationary court ordered requirements; solely at the discretion of the court. The jurist determines when probation has been completed.</p>



Purpose	Who Attends
A bond will be set at the discretion of the Jurist and can be modified at any time to allow you to go back home until pretrial if permissible. Higher level offenses Class I, II will generally not be given a bond due to risk to community. If you are offered a bond and take bond offer you MUST make sure you attend all future hearings as ordered. You also must not have any future police contact for illegal behavior.	Youth, Parent/Guardian, Attorney, Prosecutor, Referee/Judge  *If you are already on probation and assigned to a CMO, your CMO worker will attend.
Once you meet with your attorney, he/she will explain charges and will inform you of possible outcomes. You will go on the record and ask for a trial or take responsibility.	Youth, Parent/Guardian, Attorney, Prosecutor, Referee/Judge  *If you are already on probation and assigned to a CMO, your CMO worker will attend.
The Judge/Referee will listen to the evidence and decide whether a factual basis has been established.  The parties have a right to a Jury Trial as well and then the jury will decide the case not the jurist.	Youth, Parent/Guardian, Attorney, Prosecutor, Referee/Judge, Witnesses, Victims  *If you are already on probation and assigned to a CMO, your CMO worker will attend.
This is otherwise known as your sentencing hearing.	Youth, Parent/Guardian, Attorney, Prosecutor, Referee/Judge, Witnesses, Victims
This is where your CMO worker writes a progress report on how you are doing in your treatment services. Your treatment providers can also submit a report.	Youth, Parent/Guardian, Attorney, Prosecutor, Referee/Judge, CMO Worker, Treatment Providers, Victims
Your worker submits a report and makes a recommendation for you to remain on P1, be placed on P1.5 or be placed outside the home on P2.	Youth, Parent/Guardian, Attorney, Prosecutor, Referee/Judge, CMO Worker, Treatment Providers, Victims
To be completed with court ordered requirements your worker can petition court. Termination occurs when court-ordered services are complete and jurist determines youth has received maximum benefit.	Youth, Parent/Guardian, Attorney, Prosecutor, Referee/Judge, CMO Worker, Treatment Providers, Victims

# Resources

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## Black Family Development

[www.blackfamilydevelopment.org](http://www.blackfamilydevelopment.org)

(313) 308-0255      Samaritan Center  
5555 Conner Ave. Ste 1038  
Detroit, MI 48213

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## Bridgeway

[www.bridgeway-services.org](http://www.bridgeway-services.org)

(734) 284-4819      19265 Northline Rd  
Southgate Mi 48195

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## CCMO (Central Care Management Organization)

[www.ccmo.org](http://www.ccmo.org)      New Center One, Suite 370  
3031 W. Grand Blvd  
(313) 875-2092      Detroit, MI 48202

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## Insight Youth and Family Connections

<https://www.insightyfc.org>

(313) 387-6000      22390 W. Seven Mile Rd  
Detroit, MI 48219

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## WWCMO (Western Wayne Care Management Organization)

[www.gwcares.org/juvenile-justice-care-management-organization](http://www.gwcares.org/juvenile-justice-care-management-organization)

(734) 455-4095      271 S. Main St  
Plymouth, MI 48170

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## Juvenile Detention Facility (JDF)

(313) 967-2040      1326 St Antoine  
Detroit, MI 48226

# Resources Con't

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## **DWHIN (Detroit Wayne Integrated Health Network)**

www.dwihn.org  
1-800-241-4949

707 W. Milwaukee Ave  
Detroit, MI 48202

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## **Assured Family Services**

(313) 896-1444

7310 Woodward Ave  
Detroit, MI 48202

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## **FAN (Families Against Narcotics)**

www.familiesagainstnarcotics.org

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## **Children's Crisis Screening**

313-324-8557

## **First Step**

www.firststep-mi.org

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## **Third Judicial Circuit of Michigan**

### **Juvenile Court Website**

<https://www.3rdcc.org/divisions/family-juvenile#/list>

### **Link for all Juvenile Judge/Referee's Zoom Courtrooms**

<https://www.3rdcc.org/zoom/family-division-juvenile>

### **Link for Juvenile Court Payment's**

<https://www.3rdcc.org/make-a-payment/juvenile-matters>

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## **FOR ADDITIONAL RESOURCES:**

[www.waynecounty.com/departments/hhvs/  
juvenileyouth/youth-family-resources.aspx](http://www.waynecounty.com/departments/hhvs/juvenileyouth/youth-family-resources.aspx)

# Glossary Juvenile (Delinquency) Cases

**CASE:** An action initiated in the Family Division – Juvenile Section of the Circuit Court by: Filing of an original complaint, petition, or citation or Transfer of an action from another court (if the youth allegedly committed the crime in another county but resides in Wayne County).

**CMO:** Care Management Organization - There are five CMO's that are divided by zip code. Your CMO will be assigned based off your zip code. You will be provided that information when you meet with Assured Family Services for your intake.

**MINOR:** A person under the age of 18 and may include a person 18 or older over whom the court has continuing jurisdiction (i.e., placed on probation or in placement prior to turning 19).

**PARTIES:** Includes a petitioner (Assistant Prosecuting Attorney representing the county) and a juvenile (charged with committing an offense) in a delinquency proceeding.

**PETITIONER:** The person or agency who requests the court act.

**PROSECUTOR:** A legal officer who represents the government in criminal proceedings.

**PETITION:** A complaint with allegations that a juvenile has committed an offense

**DELINQUENCY PROCEEDING:** A court proceeding involving an offense allegedly committed by a minor. The juvenile must be represented by counsel and accompanied by a parent or guardian if under 18 years of age.

**OFFENSE:** An act committed by a juvenile that violates a criminal law, local ordinance or traffic law..

**DETENTION:** Court-ordered removal of a juvenile from the community pending trial, following a plea of guilty/responsibility or after trial if found guilty or at a disposition/sentencing hearing. In Wayne County, minors are held in the Juvenile Detention Facility.

**PRELIMINARY HEARING:** A hearing where the court determines if there is probable cause to believe an alleged crime occurred and there is probable cause to believe the juvenile committed it.

**BOND:** A bond is set by the court as a guarantee that the juvenile will appear in future court proceedings. The bond usually requests 10% must be paid prior to release from detention or to remain in community pending trial. In juvenile proceedings the bond is typically payable in cash, money order or surety bonds. Bond is set by the Judge/Referee can be changed at any time.

**DISPOSITION:** Sentencing following a plea of guilty or following a trial and a finding of guilt by the judge or a jury. The jurist decides what penalty will be assessed. In juvenile court the jurist can do one of three things: 1) Warn and Dismiss a case; 2) Place the juvenile on probation or 3) Placement in a State-approved residential facility until completion of the program.

**ADJUDICATION:** Another word for trial and is the legal process of resolving a dispute/charge. The trial is presided over by a judge with or without a jury or a referee.

**TRIAL:** An adjudication of an authorized petition to determine if the minor comes within the jurisdiction of the court, meaning a judge or jury has found the minor guilty of the charged offense.

**RESTITUTION:** Restoration of something lost, damaged or stolen to its proper owner. It could be compensation for an injury or loss. For example, property damage claims, medical expenses, etc.

**LEGALLY ADMISSIBLE EVIDENCE:** Testimony, documents and tangible objects that tend to prove or disprove the existence of a fact. Evidence must be relevant and reliable to the case.

**PLACEMENT:** A court-ordered transfer of a juvenile from the community to a State approved facility offering a variety of therapeutic treatment services and educational programs.

**PROBATION:** A court-imposed disposition/sentence that releases an adjudicated person into the community with court-ordered services.

**P1:** Probation Level 1 means you can reside at home receiving treatment services as long as you follow your court order and engaged in services.

**P1.5:** Intensive probation with daily contact while residing at home and actively participating in treatment services. Level P1.5 has daily contact with case manager and is monitored on tether.

**P2:** Treatment is provided in a residential treatment facility either nonsecure or secure.

**PLEA:** The juvenile's response to being charged with a crime. The plea can be guilty as charged or to a reduced charge negotiated between your lawyer and the prosecuting attorney, a no contest plea or a not guilty plea.

**GUILTY PLEA:** Usually part of a plea bargain but a youth can plea as charged. It must be made freely voluntarily and only after the accused has been informed of and understands his or her rights. A guilty plea normally has the same effect as a guilty verdict and conviction after a trial.

**NO-CONTEST PLEA:** A plea where the accused does not admit guilt but will not dispute the charge. This plea is treated as a guilty plea but often used to protect the accused against a civil lawsuit.

**BENCH TRIAL:** A trial before a judge or referee without a jury. The judge decides guilt or innocence and completes the disposition/sentencing stage of the case.

**JURY TRIAL:** A trial where the factual issues are decided by a jury and presided over by a judge. The judge completes the disposition/sentencing stage of the case.

**DESIGNATED HEARING:** A hearing where the prosecuting attorney has requested the court designate the case as a case in which the juvenile can be tried in the same manner as an adult. A hearing that is only heard by a judge and where the local prosecuting attorney has requested the court designate the juvenile be tried as an adult but sentenced as a juvenile up to the age of 21 but if he/she violates the juvenile court order, a hearing will be held to revoke juvenile sentence and adult sentence guidelines which could include prison time.

**DESIGNATED OFFENSE EXAMPLES:** Burning of a Dwelling House; Assault with Intent to Commit Murder; Assault with Intent to Rob While Armed; Attempted Murder, First Degree Murder, Second Degree Murder, Kidnapping, Armed Robbery, Carjacking, First Degree Criminal Sexual Conduct, etc.

Hearing/Meeting	Date	Time	Place

**CONTACTS**

**Case Manager** \_\_\_\_\_

Phone # \_\_\_\_\_ E-Mail \_\_\_\_\_

**Attorney** \_\_\_\_\_

Phone # \_\_\_\_\_ E-Mail \_\_\_\_\_

**Therapist** \_\_\_\_\_

Phone # \_\_\_\_\_ E-Mail \_\_\_\_\_

**Other** \_\_\_\_\_

Phone # \_\_\_\_\_ E-Mail \_\_\_\_\_

**Other** \_\_\_\_\_

Phone # \_\_\_\_\_

E-Mail \_\_\_\_\_

## WW Juvenile Advisory Council Members

John Casteel

Antwon Jackson

Marina Short

Balaal Hollings

Naythanial Miller

David Moore

Patrick O'Connell

Sarah L Parker

Darryl Woods

Dana Gholston

Jim Tumidanski

Honorable Karen Braxton

Referee Sean Kerman

Attorney Janice Jones

APA Danton Wilson

Jeanninne Gant

Sgt. Rodney Donald



# Notes

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## JUVENILE ADVISORY COUNCIL

Plymouth Location  
271 S. Main Street  
Plymouth, MI 48170

**734-455-4095**

